

I. OPENING

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

*REVISED AGENDA

AMENDED AGENDA

II. PUBLIC COMMENT – AGENDA ITEMS ONLY – RESIDENTS/TAXPAYERS ONLY – 3-MINUTE TIME LIMIT

III. PRESENTATIONS/HEARINGS

- A. Resolution #32-2022 Recognizing Logan Alexander Kade for Receiving Eagle Scout Rank
- *B. Resolution #36-2022 Recognizing the Saucon Valley High School Wrestling Team for Winning the 2022 PIAA AA Dual Meet State Championship

IV. DEVELOPER ITEMS

- A. Steel Club – 700 Linden Avenue – Extension Request to Complete Conditions of Approval for their Land Development Project
- B. Glen and Kathryn Fenstermacher – 3167 Apples Church Road – Preliminary/Final Minor Subdivision and Site Plan Approval

V. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Application – Lower Saucon Authority – 1817 Leithsville Road – Variances Related to Lot Requirements, General Lot and Yard Requirements, Traffic and Driveway And Public Utilities
- B. Personnel Related Items
 - 1. Authorize Appointment of Interim Township Manager and Formulation of Search Committee
 - 2. Approval of Administrative Assistant (S. Werkheiser) - 90-Day Probation Salary Increase
 - 3. Approval of Professional Service Agreement for Transcriptionist
 - 4. Authorization to Advertise for Finance Clerk and Administrative Assistant Positions
 - 5. Approval of PTO Payout for A. Leayman
 - 6. Approval of Hiring a Temporary Part-Time Clerical Employee
- C. Approval to Purchase 2022 Mack Tandem Dump Truck, 2023 Bandit Brush Chipper, and 2023 Ford F250 Utility Truck
- D. Approval of the Saucon Valley Community Center Senior Contract for 2022
- E. Resolution #33-2022 – Authorizing Submission of the 2021/2022 Justice Assistance Grant (JAG) Application
- F. Resolution #34-2022 – Adoption of Multi-Municipal Comprehensive Plan Update
- Amendment** 1. Continue and Close Public Hearing to Adopt Multi-Municipal Comprehensive Plan Update
- G. Lower Saucon Township Council Members Declining Compensation
- H. Authorization to Advertise for 2022 Lawn Mowing Bids
- I. Approval of Environmental Advisory Council’s Request to Hold a Fall Electronic Recycling Event
- J. Approval to Conduct a Land Conservation Workshop and Mailing to Potential Landowners
- K. Review Quotes for Live Streaming of Council Meetings
- L. Resolution #35-2022 Appointing Special Fire Police
- *M. Approval of Emergency Permit and Signage for Black River Rd. Bridge Repair

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of January 3, 2022 & January 19, 2022 Council Minutes
- B. Approval of January 2022 Financial Reports

VII. COUNCIL & STAFF REPORTS

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

VIII. PUBLIC COMMENT ON NON-AGENDA ITEMS – RESIDENTS/TAXPAYERS ONLY – 3-MINUTE TIME LIMIT

IX. ADJOURNMENT

UPCOMING MEETINGS

Saucon Rail Trail Oversight Commission: March 28, 2022 @ Hellertown Borough
Zoning Hearing Board: February 28, 2022
Planning Commission: February 24, 2022
Parks & Recreation: March 7, 2022
Township Council: March 16, 2022
Environmental Advisory Council: March 8, 2022

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I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, February 16, 2022 at 6:30 p.m. with Mr. Jason Banonis, presiding.

ROLL CALL: Present: Jason Banonis, President; Jennifer Zavacky, Vice President; Priscilla deLeon, Sandra Yerger and Thomas Carocci, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Cathy Gorman, Director of Finance; Roger Rasich, Director of Public Works and Stacy Werkheiser, Administrative Assistant.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE) – Mr. Banonis said that Council did not meet in executive session this evening.

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

Mr. Banonis said the Public Comment procedure is available on the table. We have a three-minute comment period. If anyone would like to speak on any agenda items, please come forward and identify yourself.

- Dave Spirk said he's a 34-year resident of LST, and is also the President of the Wrestling Club, has been for almost 10 years. He's Chairman of the Parks & Recreation Board, and he wants to say something on behalf of Logan and he's here for his agenda item, Steel Club, later on. He'll start with the fine young men in the audience. The road is long to get to, and by the way, he is no way going to speak for the coaches here, but on behalf of President of the Wrestling Club. It was a long road for these guys, they lost in the finals in the State Tournament and lost by about 20 some and then 50-5 just a week later they beat them 29-22. It's quite a feat when young men like this and women, young people, have an accomplishment like this. It takes a lot of nerve just to get out onto the mat by themselves and then it takes years and years of practice and discipline to hone their craft. One more plug for himself, he was their youth coach for about 10 years. So that good stance you guys are in, penetration step, far ahead and above the nose when you take a shot, you have to got to have your head up, it's a microseism of life what they do. When you take a shot, you must have your head up, right. When you're wrestling you aren't taking back steps, you are always pressing forward, that's life and that's what we're doing here. That's why all the good people are here, and the people in the front. They are in the face of opposition, heckling, and taunting and things like that and they are doing the best possible thing they can do on that mat. Now one final thing, the last match, the decider match of the State Tournament, and the people in the know of wrestling will understand this especially these guys of course. Where's Hector. Lateral drops in the middle of the second period when the score is tied 5-5, good. Lying cement jobs when you got a big cushion and time is running out in the third, no good. Almost worked, but see, old guys like the rest of us here, exhilarating lateral drops in the second period, heart attacks, as time is running out in the third. Hector is a freshman, beat a guy who he lost twice to this year what's known as major decision, it's a big 8 or more points. He lost twice to that guy, went out and beat him 10-5 Hector. All of them deserve every accolade of what they did at this moment. Logan is a tremendous guy, now back to Parks & Rec. He came into many of our meetings, he did a great job, in the work he did out at Heller Homestead. He cannot be a nicer boy. His mother can be very proud of him. Some of the other guys that he's been talking to know him from school and say the same thing, so you have every bit to be proud of him. Steel Club we'll talk about later. Thank you.
- Andrea Wittchen, 1885 Dartford Road, said she is commenting on Item 5.G. Three Council members, Mr. Banonis, Mr. Carocci, and Ms. Zavacky have submitted letters declining their compensation from the Township Council as Council Members for their terms in office. She would like to point out that these same three Council Members were provided with tens of thousands of dollars' worth of political support from the Political Action Committee that is funded by the company that owns the landfill in LST; and yet they make a big show in their political rhetoric of declining the rather meager, some might say, token compensation to do the work for the residents they were elected to serve. It makes her wonder where their priorities and their loyalties lie. Thank you.
- Bob McKellin, 2166 Kistler Avenue, said he is also talking about the same item and it seems to him the more well-off members of Council want to force their will upon other members of Council to

forfeit their compensation. If members of Council want to forego their compensation, they should be able to do so individually and not be bullied into this decision. Maybe the compensation doesn't mean much, but the future common folk who have a desire to serve on Council, this could help defray individual expenses they may incur, for example, child care. In his opinion, individual members should make up their own minds and not be bullied to give up their compensation. If an individual Council Member feels he or she does not need the compensation personally, he or she should donate it to a worthwhile cause such as the Hellertown Area Library. He hopes that the discussion during the agenda item explains the rationale for why foregoing a compensation is an agenda item at all. Thank you.

- Ms. Laura Ray, 3357 Lower Saucon Road, said she has three agenda items, first is the 5.K. remote for Council meetings. We haven't had our remote option for 8 months now. Originally there was a bid in September that got tabled for \$17,000, don't know if that bid is still valid. It took five more months to get these two bids. She certainly hopes we are able to move forward. If not, then let's stop dragging our feet. We need to be able to have more people attend these meetings regardless of their health status, the weather or any other conditions. The next topic is V.B.1. the search committee for Township Manager. She hopes this will be a group of unbiased members that doesn't consist of only the majority of the board members up there and hopefully includes members of the community, the public, the people you represent. The advertising for this should be using some major legitimate job boards such as Zip Recruiter, Indeed, LinkedIn, not just something buried somewhere. Her fear is that you have already been working on identifying someone that you personally know to give the position to them rather looking for the best candidate. She hopes that doesn't come true. Her final topic is the one that was just spoken to 5.G. Council Members declining compensation. She doesn't know it was so urgent to put this on the agenda tonight or why it's even an agenda item as you had stated there is no action that needs to be taken, so put your letters on file and be done with it. We don't need to hear you pat yourselves on the back again for not taking the minimal compensation paid to Council Members, and honestly, the job, Tom, an honest hardworking person serving on Council certainly deserves their pay and you need to stop trying to insult those who accept it as you have done in the past. Okay. Yes. Good Job.

III. PRESENTATIONS/HEARINGS

A. RESOLUTION #32-2022 RECOGNIZING LOGAN ALEXANDER KADE FOR RECEIVING EAGLE SCOUT RANK

Mr. Banonis said he's been on Council a little over two years now and we have done quite a few good things for the Township, but this is probably the highlight of his being on Council is to honor some of these young men we have before us. Like Mr. Spirk said there are some hardworking, industrious, team oriented, sincere, committed people, young men that we have here before us and women, thank you. He could not be prouder to share this moment with you, he speaks for all of Council that they are so privileged to share this moment with you. These are your accomplishments, we are simply here to recognize you. These are your accomplishments you share with your parents, who drove you to scout meetings and took you to different events, who encouraged you and coached you and took you to wrestling matches all over the east coast and it's also a testament to your coaches who are here tonight and your scout leaders. He's proud to share this moment with you. He'd like to recognize Logan Kade. He knows Logan from quite a while ago and the first item is a resolution recognizing Logan Alexander Kade for completion of his Eagle Scout rank. For those who may not know, becoming an Eagle Scout is the highest rank in scouting, the pinnacle of scouting. It's a tremendous accomplishment that a very small percentage of scouts receive and it's something that people take with them for the entirety of their lives. It's something that you put on a resume for the rest of your life and people recognize an Eagle Scout as being a person who is committed to his community, who is well rounded in having earned a lot of merit badges as we can see on his sash that he has on today and is an all-around good person. Not only that, his community mindness was reflected by his construction of a display board we have at the Heller Homestead that provides a resource of the community for messaging and it's great to have that provided to us as part of this Township. Without further due, he will read Resolution #32-2022. Normally we don't read these resolutions, but he thinks it's an important milestone that we should read it as well as the next one.

**General Business & Developer Meeting
February 16, 2022**

Mr. Banonis read the resolution.

MOTION BY: Mr. Banonis moved for approval of Resolution #32-2022 recognizing Logan Alexander Kade for receiving his Eagle Scout Rank.

SECOND BY: Ms. deLeon

She said we have to keep the kids busy and her heart is to the Saucon Valley Conservancy so anything you do to that site is appreciated.

ROLL CALL: 5-0

B. RESOLUTION #36-2022 RECOGNIZING THE SAUCON VALLEY HIGH SCHOOL WRESTLING TEAM FOR WINNING THE 2022 PIAA AA DUAL MEET STATE CHAMPIONSHIP

Mr. Banonis said we have another accomplishment that has never occurred in the history of Saucon Valley High School and that is for the first time we have a state championship wrestling team. Mr. Spirk already spoke about this. What you guys accomplished is really, really impressive. You worked hard for many years throughout the youth program and throughout your time in high school. What's even more remarkable is the foe you overcame in the state championship. It would have been very easy to look at this opponent and say well, we've already wrestled against you twice and it didn't work out too well including the time before, but you didn't do that. You persevered and you worked hard and you received excellent guidance from your coaches and your family and you came out on top. It's a testament to each of you and it's something you will take with you the rest of your lives. It's something to be proud of. You are in rare company in the state, in rare company in Saucon Valley, LST and he's proud of your accomplishment. He looks forward to a repeat championship next year. He knows there are seniors in this class, they run this team, but there's also a lot of good younger wrestlers as well. The program is really a testament who have built it from the ground up. Your coaches, your boosters, your family members, you guys worked tremendously hard throughout the year. You do fundraising to be able to pay for all the things you need and for all the trips you take and he hopes you recognize your accomplishment but also recognize those that helped get you to this point. You supported one another and you did a great job, so congratulations. Mr. Banonis read the resolution.

MOTION BY: Mr. Banonis moved for approval of Resolution #36-2022 recognizing the Saucon Valley High School Wrestling team for winning the 2022 PIAA AA Dual Meet State Championship.

SECOND BY: Mrs. Jennifer Zavacky

Mrs. Zavacky wanted to thank the families and coaches for raising such fine wrestlers and more importantly fine gentleman and women. She saw you grow up, you are friends with her kids and you guys are just amazing and what a way to go out with a bang, seniors, what a great accomplishment. When she heard this on Saturday, and heard you won the whole state thing, she's so proud of you guys, she got the shivers, that's because you are friends with her kids. Thanks coaches, she knows it tough to do what you do and we appreciate the dedication you put towards that and the volunteer hours you put forth. Thank you, great job.

ROLL CALL: 5-0

Mr. Banonis presented a copy of Resolution #36-2022 to each member of the wrestling team.

IV. DEVELOPER ITEMS

A. STEEL CLUB – 700 LINDEN AVENUE – EXTENSION REQUEST TO COMPLETE CONDITION OF APPROVAL FOR THEIR LAND DEVELOPMENT

Mr. Banonis said the Steel Club is requesting a one-year extension to complete the conditions of approval associated with their land development.

Mr. Dave Spirk, Steel Club and Mr. Scott Mease, Mease Engineering were present. Mr. Spirk said ultimately, he would say COVID stalled a lot of things. On our part, our own people, that kind of thing, but probably the most outstanding thing was County Conservation and NPDES. They weren't in the office for over a year and when that happens, things don't get done. They do have approval and NPDES approval and the last thing they are waiting on is Hellertown Borough Authority for water and sewer line and design. Otherwise, they are ready to go. They want to move forward on

**General Business & Developer Meeting
February 16, 2022**

things they have, and finishing some of the things they have already started at Steel Club. They put a significant amount of investment into Steel Club and we think it's going to pay off well for them, at the community standpoint, as well as business standpoint.

Mr. Banonis said to make it clear, what you are requesting is a one-year extension to complete condition of approval that were associated with your land development plan. Mr. Spirk said exactly. Mr. Mease said with COVID, there are certain time limits to review projects and they were missing their time limits by a month, a month and a half, so it was hard to get approvals, but they finally got approvals for the NPDES and things should move a little quicker.

Ms. deLeon asked if Hellertown Borough approved the other entrance way, you were changing the entrance. Mr. Spirk said they haven't applied for that yet but the idea was borne out of an idea with Hellertown Borough many years ago when they first brought it to you. You and Mrs. Yerger were the only two on Council. Ms. deLeon said she remembers. Mr. Spirk said no, they don't have approval for that. They think it's in the best interest of Hellertown to move that entrance. Mr. Mease said one of the conditions of approval is that we remove that from the plan and that would be part of the next phase. Ms. deLeon said move the entrance. Mr. Mease said no, we keep the current entrance but one of the conditions of approval is that we would not follow through with that new entrance, and pick that up with Phase 3. Ms. deLeon said she thought she read it. You haven't gone to them yet, closer to Phase 3 you will go to them. Mr. Mease said yes. Ms. deLeon said right now our existing plans show it as your main entrance. Mr. Mease said yes. Ms. deLeon said the upper third by Apple Street. Mr. Spirk said we're sort of mixing up a few things. So the main entrance to the club is on Linden Street and goes into their main gate. They never were intended to service any of the townhouse developments through the entry way or parking lot of the country club. So Apple Street is an entry to what would be the first phase of townhouses they are doing that you approved over a year ago. Ms. deLeon said they didn't put a map in our packet, she's trying to remember, so she apologizes for not remembering that part of it. Mr. Spirk said the reason that Hanover suggested we remove the potential new entry off of Durham and Constitution, which was because we would have then had to go to land development approval at the Borough and we are going to do that, everyone just felt at that moment, let's just move forward with the first phase which not had a lot to do with that end. Ms. deLeon said to refresh her memory, there were three different clusters of townhouses and you are doing the upper one by Apple Street, the smallest one, so the other two not on this plan, in theory. Mr. Spirk said exactly, we created those clusters when we had the zoning amendment. So again the Council at that time, felt that in order to sort of understand what they were thinking about, that they lay out the three potential parcels, so that's where that came from. Their next submission, he's hoping they are working day and night on are for the next two phases which would be the balance of 159. Ms. deLeon said she's confused with the numbers, this is 37. Mr. Spirk said back to the entry, if there's opposition to the entry, which he can't imagine there would be, it sort of takes the entrance and carves it in and out of the club away from the neighborhood, he doesn't know if you'd call it an arterial road, Durham and Constitution, but it has a light on the end now what is now known as Wings on Main. They just felt it would be better for the neighbors, quite frankly, to divert the traffic from Linden instead of going down Linden, go down Durham. Ms. deLeon said tonight you are just here for a year extension. Mr. Spirk said yes, but if he had his way, they are going to break ground soon. They are waiting on the approval from Hellertown Borough Authority.

- MOTION BY:** Mrs. Yerger moved to approve a one-year extension through January 31, 2023 to satisfy the Steel Club's conditions of approval.
- SECOND BY:** Mr. Carocci
- ROLL CALL:** 5-0

C. GLEN AND KATHRYN FENSTERMACHER – 3167 APPLES CHURCH ROAD – PRELIMINARY/FINAL MINOR SUBDIVISION AND SITE PLAN APPROVAL

Mr. Banonis said the applicants are requesting a two-lot subdivision. Ed Schlaner, Glen and Kathryn Fenstermacher, and daughter Rachel, were present. Mr. Fenstermacher said at this point they addressed all the comments from the engineering office and he thinks they are ready for approval at

**General Business & Developer Meeting
February 16, 2022**

this point. They will be glad to answer any questions. Mr. Kocher said they were here before, they worked everything out with the Planning Commission, they worked everything out with HEA, and the fact is they are ready for approval.

MOTION BY: Ms. deLeon moved to approve the Fenstermacher Preliminary/Final Minor Subdivision and Site plan and associated waivers outlined in the Hanover motion.

SECOND BY: Mr. Banonis
Ms. deLeon said we should amend our motion to say the waivers, don't we usually get a handout. Attorney Treadwell said it is the HEA draft motion that they prepared for the February 16, 2022 Council meeting. Ms. deLeon said there were 214 pages to look through.

ROLL CALL: 5-0

V. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD APPLICATION – LOWER SAUCON AUTHORITY – 1817 LEITHSVILLE ROAD – VARIANCES RELATED TO LOT REQUIREMENTS, GENERAL LOT AND YARD REQUIREMENTS, TRAFFIC AND DRIVEWAY AND PUBLIC UTILITIES

Mr. Banonis said Lower Saucon Authority (LSA) is looking to obtain several variances in order to construct a new pump station located at 1817 Leithsville Road.

Mr. David Backenstoe was present, Solicitor for the LSA. With him tonight is Brad Youst, Engineer for the authority, and we also have Bill Ross Administrator of the authority. They are actually excited to be before you as they are going to bring to fruition a project which has literally been 20 years in the making. It's going to be a satisfying result from the LSA. Mr. Banonis said it's not quite a state championship. Mr. Backenstoe, said no, it's not as good as that nor is it an Eagle Scout, it will benefit the community though. Some of you may remember in 97, 99 the developers had plans for this Township and eventually built a mall. At the time they came in with this project, they really had proposed an undersized ill-fitted pump station facility. At that time, the LSA was very unhappy with the proposed system they had. The LSA eventually negotiated an agreement with them so that Lower Saucon could study the project, study the area, and design a pump station which would be a benefit to the LSA, to the community, but to the residents as a whole. That's why they are here. Twenty years later, the project has been designed. The Township has acquired an equitable interest in the land located at 1817 Leithsville Road, many of you may know where the little billboard is on Route 412, and it's a very small lot. That is where the pump station is and it's a necessity for the area, but it helps with sewer from one level to another so it can flow naturally. They have a picture of the pump station and the buildings. It's actually got the brownstone and will have red doors like the barn. The facility is a public utility facility and as such it is permitted as a conditional use. What they've done to further the project is a formal full conditional use application and they will again be appearing before you one month from tonight with a full presentation and will literally work through each of the conditions. They will offer testimony on all the conditions. Before they do that they will appear before the P/C on the 24th, and then a week later, they will appear before the ZHB. The reason they are going to the ZHB is because it is an undersized lot, it's also a non-conforming lot, but because of that they need some dimensional variance relief from the ZHB and that's regarding lot size, lot width, impervious cover, and driveway location. The driveway can't be move. The utilities, they talked about extensive buffering. They actually have a very good relationship with the property owner. They have an agreement with him assuming they get the relief to put the pumps station in, he's allowing them to access his property so they can better access and serve everyone. That's really the nature of the project. Mr. Banonis said they would ordinarily make a motion to not take a position on this. This is something that's important to LST, so he would make a motion.

MOTION BY: Mr. Banonis moved that Council actually supports this request and that we issue letters of support to the ZHB and P/C so that they understand that the Council supports your efforts here.

SECOND BY: Ms. deLeon
Ms. deLeon said the P/C may see something that somebody else missed, so she would hope they would bring it to our attention. Mr. Banonis said he'll amend his motion.

MOTION BY: Mr. Banonis moved to direct the Township Manager to issue a letter assuming the motion passes to the ZHB providing Council support to this project.

SECOND BY: Ms. deLeon amended her second
ROLL CALL: 5-0

B. PERSONNEL RELATED ITEMS

1. AUTHORIZE APPOINTMENT OF INTERIM TOWNSHIP MANAGER SERVICES AND FORMULATION OF SEARCH COMMITTEE

Mrs. Huhn said they have reached out to three firms. Due to the short time period, they had just submitted their proposals, so they didn't have them for the packet for Friday. You do have in your packet, two of the proposals, the third firm, chose not to, they do not have the staff or manpower right now to provide the services to the Township, so if you'd like to discuss the two proposals before you, we can certainly do that.

Mr. Carocci said he and Sandy spoke with Peter Marshall and Associates and the Keystone Municipal Solutions recommendation earlier today by phone just to interview and get a feel for who they are. He personally felt that Peter Marshall, who has a lot of background in management, has managed municipalities a lot greater than ours, Newark, Delaware, State College, PA, amongst others and he's also helped recruit Township Managers and served as an Interim Manager for the City of Altoona, Ferguson, PA, Susquehanna Township he did for a while as well, East Buffalo Township in Lewis, PA. His rate is \$95/hour and he'd also need about \$300 in expenses per week as he lives in State College so he'd have to have a hotel so that would be \$95/hour plus \$300 per week, and that's cheaper than the Keystone recommendation, which was \$115/hour. If we are talking about 20 hours, to start, he'd like to hear what other Council members have to say, but even with the expenses for \$300 for travel, it still would be less expensive than \$115/hour. Keystone was fine too, but in his opinion, Mr. Marshall seemed to have a little more experience.

Mrs. Yerger said he also had a lot more experience in actual municipal management, which she thought was key to this, because this is what we are looking for. He actually served in Second Class Townships so he has the experience. He knows the rules. Ms. deLeon said did you explain about the Home Rule, under the optional plan. Mrs. Yerger said yes, he understands. He had a much more extensive background. Mr. Carocci said he managed police departments also.

Mr. Banonis said was there any discussions as to any hour limitation, how many hours per week he would be needed. He doesn't know if we need someone filling in full time. Mr. Carocci said so he seemed to not have any hour limitations himself, like he said, his recommendation to Council would be to contract with him for 20 hours a week to start, which means he'd be in the office at least two days a week and see if that's enough. If not, we can always ask him to spend more time. If it is enough, then that would be fine. Mrs. Huhn said she did indicate they would like them to be available via email, text, phone, so that would be throughout the week. Mrs. Zavacky said would we only work with him as the Township Manager role or could we leverage him for recruiting experience he has as well. Once he sees what the Township needs, he could be in on the actual search. Mr. Carocci said yes. Ms. deLeon said how did we find out about this firm. Mrs. Huhn said she was given the contacts for Keystone and Peter Marshall and the third one was Matrix. Ms. deLeon said she asked you how did you get these, you were given to them by whom? Mrs. Huhn said the one she found on the internet Keystone and the other one was given to us by our labor solicitor.

Mrs. Zavacky said these are firms specific for this type of work. Mrs. Huhn said correct, by municipal services. There's not a lot out there. Ms. deLeon said with all the transition in the Township with people leaving that 20 hours is too minimal. She thinks there needs someone to be here more than two days a week, which is hardly enough to oversee what's going on as people have left. Mrs. Huhn said she thinks you could increase that. They are giving an hourly rate, so if you find it's not enough...Ms. deLeon said she would be more

**General Business & Developer Meeting
February 16, 2022**

comfortable with three days a week. Mr. Banonis said that's 24 hours a week. Mr. Carocci said between 20 and 25 is where he's at. Mrs. Yerger said if you want to add the extra hours, that's fine. Ms. deLeon said we went through this with the PD with John Scruggs. Mr. Carocci said he did ask Leslie to ask John Scruggs but he was committed.

Ms. deLeon said she's finding this conversation, and when Leslie submitted her resignation, she was kind of out of the loop. Mr. Carocci said he called Sandy to see if she wanted to do a preliminary discussion with them and she said yes, and we did it. Anybody can pick up the phone and you could have called.

Mrs. Zavacky had a question about the other firm where it was, if they would recommend a person who would be an Interim Manager, even though the rate was higher, it said it had the support of two other people, other Managing Directors of the firm, in support, so she doesn't know if they are local, what role would they play, paying the hourly rate local. She doesn't know enough than the two pages of bio she read.

Mr. Carocci said he talked to Dave Kratzer who is with Keystone as well and he's the Managing Consultant, so the one guy that's part of the team, besides the interim candidate is Adam Santuchi, whose is a Labor and Employment Lawyer, we already have one on retainer and he felt paying for that was not necessary. Mr. Kratzer did serve as a Township Manager even though the candidate that he recommended did not, but he wouldn't be here on a daily basis, he'd be in Harrisburg on call. They are not here every day. Mrs. Zavacky said they don't add any value. Mr. Carocci said he doesn't think they add enough value for the price. They talked to each candidate for over a half an hour and spoke to Mr. Kratzer for at least 15 or 20 minutes. To feel them out, it was an introductory call but he'd like to make a recommendation that we instruct Linc to draw up an agreement with Mr. Marshall to start as some point after Leslie, unfortunately, leaves.

MOTION BY: Mr. Carocci moved to instruct Attorney Treadwell to draw up an agreement with Mr. Marshall to start at \$95/hour plus \$300 in expenses, not to exceed initially 24 hours per week unless necessary, when Leslie leaves.

Mrs. Zavacky said what if he's here two weeks and it's not working out. Attorney Treadwell said he'll put that in the agreement that we have the ability to remove him at any time if we are not satisfied. Ms. deLeon said we have the ability by our administrative code to remove the Manager at any time Council wishes. Mr. Carocci said if we get him in here, we have another meeting March 16th, we'll probably at least have him responsible for putting the agenda together for that meeting and we can always re-evaluate whether we need more hours. Ms. deLeon said she liked him the best out of all of them. Mr. Carocci said he'd recommend Ms. deLeon call him and have a discussion. He thinks that would be worth your while. Ms. deLeon said she likes the fact he already had the municipal experience.

SECOND BY: Mr. Banonis
ROLL CALL: 5-0

Mr. Banonis said the second part of this is to form a Search Committee, and he wants to thank Sandy and Tom the initiative to reach out and contact some of these Interim Managers. Tom, you had been involved in the Search Committee for the Police Chief hiring and Sandy you've been on Council forever, well not quite. Mrs. Yerger said not as long as Pris. Mr. Banonis said he thinks the two of you should be part of the Search Committee and he thinks Linc would be appropriate as apart from Leslie has the most intimate knowledge of the day-to-day operations and the issues facing the Township and it would also be helpful to have Peter Marshall who is serving as Interim Manager to be part of that hiring committee as well.

MOTION BY: Mr. Banonis moved for approval to formulate a Search Committee consisting of Sandy Yerger, Tom Carocci, Linc Treadwell, and the Interim Manager, Peter Marshall; and to commence that search as quickly as possible.

Ms. deLeon said so you don't want anyone from the outside. When she and Tom were on the Search Committee for the Chief, it was very helpful to have an outside person. Mr. Carocci said he thinks this is a little different. The Police Chief is a community-oriented

**General Business & Developer Meeting
February 16, 2022**

position. The officers deal with community all the time, every day. He feels that the Township Manager, it's not an elected position. The Township Manager works for the Township Council and oversees the PD and the Zoning, Planning, Road Crew, Finances, the Director of Finance and to him, he thinks Council and the Solicitor are the ones that have to focus and make this decision and then bring full recommendations to the Council of one, two or three of the strongest candidates then have Council debate in Executive Session. Mr. Banonis said you are not a hiring committee, you are a Search Committee. Mr. Carocci said he'd like to have Mr. Marshall sit in on these and he's not sure he has to be part of ...Mr. Banonis said he's not including him as a formal member, but he should participate. He'll amend his motion.

MOTION BY: Mr. Banonis amended his previous motion and moved for approval to formulate a Search Committee consisting of Sandy Yerger, Tom Carocci, Linc Treadwell, with the understanding that the Interim Manager will likely participate in part of the process and to commence that search as quickly as possible.

SECOND BY: Mr. Carocci

ROLL CALL: 5-0

Ms. deLeon said are we going to talk about when they are advertising this position, where they are going to put it, on PSATs, she knows they need it before publication. Mrs. Huhn said she doesn't mind putting something together for you, places you can advertise, and things we've done in the past. She can put things together for the Committee.

Attorney Treadwell said let's ask Mr. Marshall as well since he's done it before and what has worked best for him - how you get the widest coverage and most applicants. Mr. Carocci said he did ask us today where we were going to advertise for a Manager and he said he didn't know. He said he had to talk to Leslie. Ms. deLeon said she knows through past experiences, she's been through eight Manager's. Mr. Banonis said that's quite a lot. He'd be amiss to not mention this, but he went from the pinnacle of Council and recognizing the fine gentleman we've had in the audience today to the low point, which was dealing with the issue of finding a new Manager. He just wanted to publicly recognize and acknowledge Leslie for all of her hard work over the years. She has done a tremendous job for this Township. He said that before and he will always say that and it's with a heavy heart we have to talk about this topic, as she's been great to us. Mrs. Huhn said she appreciates that and you will be missed as well. Thank you. Mrs. Zavacky said her time was short with her. One of the things so many people said was the Township has a great Manager and so if you run, you will be working along someone who is a great leader also. Mrs. Huhn said she appreciates that Jen. She wishes they would have had more time together. Mr. Banonis said you can still change your mind.

2. APPROVAL OF ADMINISTRATIVE ASSISTANT (S. WERKHEISER) – 90 DAY PROBATION SALARY INCREASE

Mrs. Huhn Administrative Assistant, Stacy Werkheiser, has completed her 90-day probation period and she's been doing a great job. She keeps coming into her office and asking what are we going to do, Mrs. Huhn said she always says everything will be fine. She'd like to recommend a \$1,000.00 salary increase, which is usually done after a successful probation period and she's doing a great job. She'd to recommend that to Council at this time. Her current salary is \$47,000.

MOTION BY: Ms. deLeon oved to approve salary increase in the amount of \$1,000.00 for Stacy Werkheiser.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

3. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR TRANSCRIPTIONIST

Mrs. Huhn said in light of staff and losing staff and trying to keep everything running efficiently, she took the liberty of reaching out to Diane Palik, who had just recently retired to see if she'd like to go back to how she started with us, which was transcribing minutes from her home. She is retired and enjoying her granddaughter, but she did agree to do this on a trial basis. We amended the agreement that is in your packet because there was a

**General Business & Developer Meeting
February 16, 2022**

termination period for the Township but not for her if she found it wasn't working out for her. That was the amendment that was sent out to you today. She is willing and able to do this from her home and she will start tomorrow if Council approves this agreement.

MOTION BY: Ms. deLeon moved to approve the Agreement between Lower Saucon Township and Diane Palik for transcription services.

SECOND BY: Mr. Carocci
Ms. deLeon said did you want to say the amount of money in the agreement. Mrs. Huhn said the amount that will be paid to her will be \$25/hour to transcribe the minutes.

ROLL CALL: 5-0
Mr. Banonis said thanks to Diane. Mr. Carocci said yes, thanks for helping us out.

4. AUTHORIZATION TO ADVERTISE FOR FINANCE CLERK AND ADMINISTRATIVE ASSISTANT POSITIONS

Mrs. Huhn said we do have the two open positions; unfortunately Allie Leayman has left us and she was offered a job to work from home and so she can be home with her little one-year old son. We do have the Finance Clerk position to fill and the Administrative Assistant position to fill. What you have in your packet are two draft advertisements. This has been posted internally and we have had an internal candidate who was interested who she will leave that for the Interim Manager to review and will give him her recommendation. She's asking for authorization to advertise these two positions. We already revised the job description for the Finance Clerk. Cathy has looked at this and the duties have changed slightly since we now have engaged Keystone to collect the taxes. The job description for Administrative Assistant has remained the same. Ms. deLeon said it would have been helpful to highlight the changes. Mrs. Huhn said she can provide that. Ms. deLeon said she doesn't need it after the fact.

MOTION BY: Mr. Banonis moved to authorize advertisement for a Finance Clerk and Administrative Assistant and to approve the revised job description.

SECOND BY: Ms. deLeon
Ms. deLeon said when you were speaking with Mr. Marshall, did you tell him there were vacancies. Mr. Carocci said they did tell him there were two and we told him what they were. Ms. deLeon said she's sure he had access to the website so he could see our agenda tonight. Mr. Carocci said he said we were advertising it tonight and he said it was fine.

ROLL CALL: 5-0

5. APPROVAL OF PTO PAYOUT FOR A. LEAYMAN

Mrs. Huhn said we have calculated her payout for vacation time that she still had on the books and it was for 40 hours carried over plus 15; and she had comp time on the books for 20.75 hours for the total payout of \$1,906.88. Ms. deLeon said she thought it was a policy we didn't carry over vacation days. Mrs. Huhn said she's not allowed to, but staff is allowed to carry over up to 40. Ms. deLeon said when did we do that. Mrs. Huhn said it's been that way since Jack was here or before. Ms. deLeon said she thought we changed that when you came on that everyone had to take their vacation days. Mrs. Huhn said no, that's just her and Chief. Ms. deLeon said that needs to be discussed at some point. Mrs. Huhn said that would be a contract issue as the others are in contract, it can be reviewed, but it's in the contract. Ms. deLeon said you should take your vacation days that you are entitled to and shouldn't carry them over., that's 40 days. Mr. Banonis said it's 40 hours. Mr. Banonis said there's a lot of businesses that carry over. Ms. deLeon said this isn't a business, this is a government entity. Mr. Carocci said a lot of employers do that including government entities. Ms. deLeon said she's letting you know she's unhappy with that.

MOTION BY: Mr. Carocci moved to approve payout of unused vacation to Allie Leayman in the amount of \$1,906.88.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

6. **APPROVAL OF HIRING A TEMPORARY PART-TIME CLERICAL EMPLOYEE**
Mrs. Huhn said she took the liberty of reaching out to Integrity Personnel who provides staffing services in the absence of the Administrative Assistant and Finance Clerk to help the office staff continue to run things efficiently and the day-to-day operations. What they provided us was a proposal. We're recommending part-time right now to assist Cathy with payroll and the clerical part for Stacy and Zoning and also the receptionist. The part-time weekly fee is \$1,280. This would be 3 days a week, 25 hours. We did not put a time limit on it so this can be three months, it could be six months, we can evaluate as we go forward.

MOTION BY: Mr. Banonis moved for approval of hiring a temporary part-time clerical employee subject to the Integrity Service agreement dated February 2, 2022.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

C. **APPROVAL TO PURCHASE 2022 MACK TANDEM DUMP TRUCK, 2023 BANDIT BRUSH CHIPPER, AND 2023 FORD F250 UTILITY TRUCK**

Mrs. Huhn said you have the information in your packet. Roger is here with us tonight. These purchases were presented to Council during our budget deliberations last year. Roger is requesting we order these pieces of equipment. As you know, if you are going out to get a new vehicle right now, the supply is very limited and the time frame they are proposing for the delivery of some of these trucks could possibly be until the end of the year, so we're requesting that. Roger is here if you have any questions. He did a spreadsheet with the quotes he received. He has some estimated trade-ins which would offset some of the cost. If we do not trade them in we have been successful in the past on selling them on Munici-Bid. The new F250 is a new vehicle so there would be no trade in on that one. We would also recommend to not trade them in until we get the new vehicle or sale of those vehicles. We would not sell them until the chipper or the new dump truck arrived.

MOTION BY: Mr. Carocci moved to approve the purchase of a 2022 Mack Tandem Dump Truck in the amount of \$236,957 (with trade-in), a 2023 Bandit Brush Chipper in the amount of \$63,540 (with trade-in), and a 2023 Ford F250 Utility Truck in the amount of \$57,941 (no trade-in).

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

MOTION BY: Mr. Banonis moved to move up Item 5.M. which is the approval of the Black River Road bridge repair since Mr. Rasich is here.

SECOND BY: Mrs. Zavacky

ROLL CALL: 5-0

M. **APPROVAL OF EMERGENCY PERMIT AND SIGNAGE FOR BLACK RIVER ROAD BRIDGE REPAIR**

Mrs. Huhn said both Roger and Brien are here and we had sent out to Council that this past Sunday the power pit fell in at the bridge just up the road here near Evergreen Drive, so what we'd like to do request is the approval to submit an emergency permit and purchase of the signs which we will do on Black River Road for the repair. Roger has looked into the signage and what we are proposing is similar setup as down here on Old Philadelphia Pike where there would be stop signs on either side on the bridge approach. People would have to stop, yield to that and then travel down the middle of the bridge. There would be signage as well as road markings. Then HEA will be submitting the emergency permit application and they've inspected the bridge and determined it has to be replaced. This bridge was damaged during Irene in 2011, 2012. Mr. Rasich said 2011. Mrs. Huhn said repairs were done to it at that time and they have lasted us 10 years so it's time we do need to replace it. Attorney Treadwell asked about the weight limit. Mrs. Huhn said it will be reduced from 15 ton to 5 ton for the duration. Mr. Banonis said does the weight limit reduction create any traffic implications. He's not aware of any businesses in that section. Mrs. Zavacky said just the event center place, Saucon Valley Acres. Mr. Banonis said send a letter to Saucon Valley Acres. Mrs. Huhn said they will put it out and let the neighbors know. Ms. deLeon said there may be other people traveling in that area.

**General Business & Developer Meeting
February 16, 2022**

MOTION BY: Mr. Banonis moved to approve the Emergency Permit signs for Black River Road.
SECOND BY: Mrs. Zavacky
ROLL CALL: 5-0

D. APPROVAL OF THE SAUCON VALLEY COMMUNITY CENTER SENIOR CONTRACT FOR 2022

Mrs. Huhn said we did receive the draft contract from the SVCC. We've been working with Roberta and she has submitted her proposed budget and that covers supplies, the salary of Betty Scherer who runs the program, and we do this annually. This is for the 2022 year.

MOTION BY: Ms. deLeon moved for approval of the Saucon Valley Community Center Senior Contract for 2022.
SECOND BY: Mr. Banonis
ROLL CALL: 5-0

E. RESOLUTION #33-2022 – AUTHORIZING SUBMISSION OF THE 2021/2022 JUSTICE ASSISTANCE GRANT (JAG) APPLICATION

Mrs. Huhn said we are requesting approval to submit the grant application. Chief has reviewed it and there's a memo in the packet. It is for nine dual band mobile radios for the patrol units and one replacement mobile radio that would be inside headquarters. The quote is \$30,213.00. He states the current mobile radios are older and have become difficult and costly to repair. This will allow them to be inter-operable with the Lehigh County Police Departments in the event they are assisting on an incident. The grant submission will be made at 100%, so there is no money required and this would be the submission supporting the grant application.

MOTION BY: Mr. Banonis moved for approval of Resolution #33-2022 – authorizing submission of the 2021/2022 Justice Assistance Grant (JAG) application.
SECOND BY: Mrs. Zavacky
ROLL CALL: 5-0

F. RESOLUTION 34-2022 – ADOPTION OF MULTI-MUNICIPAL COMPREHENSIVE PLAN UPDATE

Mrs. Huhn said the SVP and LVPC have approved the minor revisions that we had requested and submitted to LVPC. This was a joint venture between the SVP. Hellertown Borough has already adopted the Comp Plan and she did reach out to Hellertown and said we had this minor revision. What it is, there is a slight revision in the vicinity of 412 and then also in the vicinity of Easton Road where there's mixed use. We had LVPC review it and replace redevelopment and infill our potential opportunities within these land use areas. Our resolution has been prepared adopting the Multi-Municipal Comprehensive Plan with that revision.

Attorney Treadwell said quick question, and he should have asked earlier, did we have a public hearing that was open on that. Mrs. Huhn said yes we held one at the Partnership. Attorney Treadwell said and we continued it so the first order would be to close the public hearing and then we would need a motion to add to the agenda the continuation of the Comp Plan public hearing so we can then do it and post it tomorrow as a new agenda item, but just to clean it up and not adopt a resolution while the hearing is open. Mrs. Huhn said good catch. Attorney Treadwell said the first would be a motion to add to the agenda the continuation and addition of the public hearing on the Multi-Municipal Comp Plan.

MOTION BY: Mrs. Yerger moved for approval as stated above by the Solicitor.
SECOND BY: Mr. Carocci
ROLL CALL: 5-0

Attorney Treadwell asked if there was any public comment on the revisions to the Comp Plan that was discussed at the last public hearing. Now you can close the hearing.

MOTION BY: Mr. Banonis moved to close the hearing.
SECOND BY: Mr. Carocci
ROLL CALL: 5-0

**General Business & Developer Meeting
February 16, 2022**

Mr. Banonis said he attended the SVP meeting on February 9th. Since the Multi-Municipal Comprehensive Plan began at the SVP, and was approved by the LVPC, those in attendance were from LST and the SVSD. They passed a motion at the SVP meeting wherein they approved the revised Multi-Municipal Comp. Plan. Ms. deLeon said do you recall the SVP by-laws that she always thought we had to have all three entities present to have a meeting. Attorney Treadwell said he and Leslie discussed that before the last SVP meeting as we thought the same thing, but it says the majority of those in attendance. Ms. deLeon said it's weird the way it's written. Attorney Treadwell said they thought the same thing, do we need all three, and when we looked at it, it says a unanimous vote of all those in attendance. Ms. deLeon said out of courtesy to the three members, we did not meet out of respect to the other entity that was not present. Attorney Treadwell said unfortunately, in this situation, we needed to do something with our Comp. Plan. Mr. Carocci said they could have attended if they chose, but they didn't. They didn't so the school board was there.

- MOTION BY:** Mr. Carocci moved for approval of Resolution #34-2022 – adoption of Multi-Municipal Comprehensive Plan Update.
- SECOND BY:** Mr. Banonis
- ROLL CALL:** 5-0

G. LOWER SAUCON TOWNSHIP COUNCIL MEMBERS DECLINING COMPENSATION

Mrs. Huhn said in your packet you have three letters from Mr. Carocci, Mr. Banonis, and Mrs. Zavacky declining their compensation for their entire term on Council. Mrs. Zavacky is two years and Mr. Carocci and Mr. Banonis are both four years. This is on the agenda because we do need to enter it into the record so it is in the minutes that you did decline and Cathy does not have to pay you.

Attorney Treadwell said just to clarify some of the comments made earlier during the Public Comment portion of the meeting, it only applies to individuals who choose to do it. That's it. The reason it's on the agenda as Leslie said it's very similar to if a Township Supervisor, or in this case, a Township Council person would choose to participate in any type of health insurance program sponsored by the Township, it needs to be on the record in writing and this is a similar situation. There is no action necessary, it's just a recognition and an acknowledgment so that it's in the minutes.

Mr. Carocci said Mr. McKellin made a statement that we were forcing things on other Council members and that's completely inaccurate. Maybe you read one of Tony's articles on that in the MC but it was inaccurate. That's not accurate. Ms. deLeon said the minutes will reflect that.

Mr. Banonis said there was a statement of accepting money from the landfill, he can say publicly that he never accepted anything from the landfill, have you Tom? Mr. Carocci said no. Mr. Banonis said have you Jen? Mrs. Zavacky said no. Mr. Banonis said just so that record is clear. We need to make a motion.

Ms. deLeon said this we don't have to. She said this whole discussion should be appropriate for the Reorganization meeting as you should know by then if the person is going to take the money or not. Mr. Banonis said Cathy, I told you I didn't want to get paid, right. Ms. deLeon said she's not saying you did or didn't Jason, she's saying...Mr. Banonis said he wants to hear from her. He didn't hear her answer. (Could not hear Mrs. Gorman's answer as she did not go to the microphone). Ms. deLeon said this goes back to Glenn Kern and Ron Horiszny and they did it publicly and they gave a letter. She's suggesting this should be done at Reorganization. You didn't have this letter in January, so you waited until a month later, which in her opinion is late. You should have done in in January.

H. AUTHORIZATION TO ADVERTISE FOR 2022 LAWN MOWING BIDS

Mrs. Huhn said we are requesting approval to advertise the lawn mowing bids from March 2022 to December 2022. The bid will be awarded at the March 16th Council meeting. You have the invitation to bid in your packet. It follows our Park Maintenance Policies. Ms. deLeon said every now and then we have an issue with the lawn cutters at certain parks, did you take some of that stuff into

consideration. Mrs. Huhn said it is in here what the issues are with them, that's why we are bidding. We had the opportunity to extend the contract for one year and we are choosing not to and go out for new bids. Ms. deLeon said she knows there was an issue but can't remember what it was. Mr. Banonis said last year there were a limited number of bids that came in, people weren't interested in cutting our grass. Ms. deLeon said the people who were cutting it were not...Mr. Banonis said we are sort of limited as to who we get. Mrs. Huhn said we've had some interest in some people who have not had bids before so they are asking to be included. Ms. deLeon said her point is to get the issue in the bid requirements so we had something to go back at them. Mrs. Huhn said we do. Ms. deLeon said if it wasn't in there, it would be hard to go back at them.

MOTION BY: Mr. Banonis moved to authorize the advertisement of the Lawn Mowing & Lawn Treatment for March 2022 through December 2022.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

I. APPROVAL OF ENVIRONMENTAL ADVISORY COUNCIL'S REQUEST TO HOLD A FALL ELECTRONIC RECYCLING EVENT

Mrs. Huhn said the EAC met this month and they've discussed this in the past. They've been very cognizant and it's very important to hold electronic recycling. Mrs. Yerger said the County is going to help fund this. Mrs. Huhn said we have the EAC who provided their recommendation to go with RRS. We are looking to authorize holding the event in the fall and setting the date so we can lock in with RRS.

Mrs. Yerger said it came up at the EAC meeting they wanted to reach out to the SVSD high school students who need community service projects, so we would like to recommend this be on November 12th which is a Saturday, so we can engage these students and give them some credit. We will need help. Mrs. Huhn said Public Works will also help. Ms. deLeon said is that a definite date. Mrs. Huhn said we would like it to be. Mr. Banonis said is there a limitation on the type of electronics. Mrs. Yerger said we will go through that, and will post it on the website. Mrs. Huhn said we'll advertise it as there may be fees. Mrs. Yerger said they are taking larger things potentially like washers and dryers. There would be fees attached to large things like that as it would require bigger trucks.

MOTION BY: Mr. Banonis moved to approve to hold a recycling event this Fall.

SECOND BY: Ms. deLeon

ROLL CALL: 5-0

Mrs. Yerger said just to let the public know, NC is encouraging these events so they will award us up to \$4,000 to cover the trucks and things like that. This has become a real problem, county and state-wide. It won't cost the Township anything.

J. APPROVAL TO CONDUCT A LAND CONSERVATION WORKSHOP MAILING TO POTENTIAL LANDOWNERS

Mrs. Yerger said most of you know there is money in the fund, our Open Space Fund and we've done it before and we want to do mailings to Township residents stating what our open space program is all about. We will reach out to landowners who own a certain amount of acreage as well as working with our Zoning Officers with other properties adjacent to our other parks, our preserved properties. It will be a mailing and as part of that mailing we will work with a local conservation organization to present a program so people can come. No fee is involved. They can ask questions to the experts.

MOTION BY: Mr. Banonis moved to conduct a land conservation workshop mailing to potential landowners.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

K. REVIEW QUOTES FOR LIVE STREAMING OF COUNCIL MEETINGS

Mrs. Huhn said Council requested we obtain quotes for live streaming and Zoom capabilities. We have two proposals. One was received previous which was tabled due to the cost of \$17,092.00. We also were able to obtain one from our IT company that takes care of our servers and that is in your packet as well.

**General Business & Developer Meeting
February 16, 2022**

MOTION BY: Mr. Carocci moved to table this until we hire a permanent Township Manager who will be responsible for operating the system. It's a lot of money and a complicated system and he wants to have the permanent Township Manager look at these proposals and decide with that persons input what the best is for the Township. He will have to live with the system.

Mr. Banonis said he agrees with Tom. Otherwise we may buy a system that won't be usable. Ms. deLeon said she disagrees. We stalled long enough. This could be all set up and ready to go when he comes in and starts and she is just shocked that you are just delaying it again as maybe it could be installed in another month. You don't know how many people have told her that they are unable to attend, they work late, they have kids at home, and they'd love to be able to view the meeting. Mr. Carocci said its being live streamed right now. Ms. deLeon said they can't participate in the beginning of the meeting on either agenda items or non-agenda items being eliminated. Mr. Carocci said he thinks he'd like the input of the permanent Township Manager. Mr. Banonis said we are going to be paying \$95 to train someone to use the system and then they are going to be leaving us in two months.

Mrs. Zavacky said she is in favor of doing something here from a technology perspective. She would like to have the ability of sooner than later. Being in technology herself, she worries about, all she saw were quotes. She doesn't know the difference between the different cameras and the different technologies, will it support the platforms going forward. The technology we have in there, the AV, she assumes it will work, but personally she would like our IT company to come here and advise us. These are the pros and cons of the different systems before we make a \$17,000 or \$20,000 purchase. You don't want to invest in something, it's going to work, but it's not going to be long term. If it was \$500 or \$1,000, sure let's get a camera and put it up there, but if you are going to do it right, you should do it right. She doesn't think anyone on this Council right now is qualified to say that this Kodak system from the speaker is going to attach to the base in there, and it's going to go into the projector and everything else. She'd rather have our IT folks tell us here's Option A, Option B, Option ABC. She was very confused and asked Leslie if there was a brochure that went with the quote of list of items with SKU numbers. It wasn't like a formal proposal. Mrs. Huhn said it's over her head. Mrs. Zavacky said we need advisement of our IT folks. Then we have a proper proposal to make a decision on. You don't want to install \$20,000 some plus dollars.

Ms. deLeon said it's been 8 months since we've been sitting here wishing we had a unit and it's been on the back burner, she's sorry. Mr. Banonis said just because time has gone by, it doesn't mean you should jump into something. Ms. deLeon said she's not suggesting jumping into it, you are putting words into her mouth. Mr. Banonis said he's not putting words into her mouth. Mr. Carocci said there's a first and a second.

SECOND BY: Mr. Banonis

ROLL CALL: 4-1 (No – Ms. deLeon)

Ms. deLeon said is this going to be on the agenda next month. Mr. Carocci said he doesn't want it on the agenda if we don't have a permanent Township Manager. Mrs. Huhn said she'll leave the information with him. Ms. deLeon said you just said the Interim Manager. Mr. Carocci said a permanent Manager. Ms. deLeon said you are holding this until you get a permanent Manager. Mr. Carocci said yes. Ms. deLeon said disgusting, this is disgusting.

L. RESOLUTION #35-2022 APPOINTMENT OF SPECIAL FIRE POLICE

Mrs. Huhn said we do this on an annual basis, based on the information provided by the Fire Company. LSFRR is asking we appoint Robert Gerhart, Jason Mingora, Robert Buki and Rachel Mingora. The reason that Council and the Township need to appoint the Special Fire Police is because if they need to go to a parade or outside service, they are covered under our W/C.

MOTION BY: Ms. deLeon moved for approval of Resolution #35-2022 appointment of Special Fire Police.

SECOND BY: Mr. Banonis (and he thanked them)

ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JANUARY 3 AND JANUARY 19, 2022 COUNCIL MINUTES

Ms. deLeon said the January 3rd meeting, Andrea Wittchen's name is spelled incorrectly. It's Wittchen. Are we going to do these separately? Mr. Banonis said he has no problem with correcting her name throughout. Ms. deLeon said yes. Mr. Carocci said on page 14, line 51, where it says she was elected for her. It's not accurate, it should say Priscilla deLeon said "I get elected for me, okay". Ms. deLeon said are you going to play it. Mr. Carocci said yes, he's going to play it. Ms. deLeon said technology, she's impressed. She doesn't even know how to do that. Ms. deLeon said she can't hear it, but whatever she said, she said. She's not going to argue. Wow.

MOTION BY: Mr. Banonis moved for approval of the January 3, 2022 Council minutes, with corrections as stated above.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

Ms. deLeon said since you are so picky, she doesn't think you'll have a problem with this. On the January 19th minutes, sorry, she should have said the January 3rd meeting, she can't do it now.

MOTION BY: Mrs. Yerger moved for approval of the January 19, 2022 Council minutes.

SECOND BY: Ms. deLeon

Ms. deLeon said she thinks the January 19th meeting was adjourned at 9:30 p.m., not 8:00 p.m.

MOTION BY: Mrs. Yerger amended her previous motion and moved for approval of the January 19, 2022 Council minutes, with correction.

SECOND BY: Ms. deLeon

ROLL CALL: 5-0

B. APPROVAL OF JANUARY 2022 FINANCIAL REPORTS

Ms. deLeon said on one of the pages where it lists the checks written, she doesn't know the page number, the financial statements, she's looking for the check for the VOIDS. Back in January there was a motion to give the HAL \$50,000 and Southern Lehigh \$50,000. They are marked as VOID. Whatever happened to where Jason made that motion and you were going to take Jen to the Southern Lehigh library and give them the check. Mr. Banonis said you are asking him. Ms. deLeon said you made the motion and said you were going to do it. Mr. Banonis said he didn't make the motion to void it, so don't ask him about the accounting statements.

Mrs. Gorman said she issued both checks at the direction of Council and received a call maybe five minutes after she issued those checks from the Solicitor that he was discussing to meet with SL and the policy that the auditors have regarding holding live checks is not advised and he didn't know when we were going to present that check, so it was in our best interest according to our auditors to void them, so she jumped the gun. Ms. deLeon said you are talking about both of them.

Attorney Treadwell said the HAL one was the same thing that happened, there was a motion to write a check for \$50,000 to the HAL once the Solicitor was satisfied with some of the financial questions. Cathy wrote the check, he told her to void the check as he hadn't received answers yet for the financials. Ms. deLeon said she's not privileged and we talked the day you were having the meeting with the financial issues, was that resolved at that meeting? Over \$24,000 for gift cards. Attorney Treadwell said at the HAL meeting, no. He will report more on that later when he gets to his report.

MOTION BY: Mr. Carocci moved for approval of the January 2022 financial reports.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

VII. COUNCIL & STAFF REPORTS

A. MANAGER

➤ Mrs. Huhn said she has nothing to report tonight. She just wants to say thank you, she'd like to thank Council, she'd like to thank previous Councils, it's been a great 20 plus year career that she's had at LST. She can say she's loved every minute of it, and she thanks you for the opportunities you provided and for the support that everyone has given her, so it's bittersweet,

her last meeting, and it's hard. It was a hard decision and she's forever grateful and thank you. Ms. deLeon said best wishes. Mr. Carocci said thank you, best wishes.

B. COUNCIL/JR. COUNCIL

Jr. Council – Absent

Mrs. Zavacky

- She said she was going to share at the beginning of the meeting that many people are here regarding the library update. She's prepared to take everyone through where we are at. She will try to be brief, and not long. If there is anything people want clarification on, she can try to provide it. She failed to say we are going to cover this in the report section of the meeting. She got all excited here when she saw the wrestlers and the Eagle Scout, she was excited that was going to occur, so she apologizes for not letting everyone know this was going to be covered toward the back end of the meeting today. The reason it's not on the agenda, it doesn't mean that you as a resident and people that are here aren't going to get a proper update. Nothing to hide, full transparency, she'll provide it today. It did not go on the agenda as they don't have any formal communication back from the library that as a Council they would deliberate on, vote on, or act on today. As an update, that's why it's an update and not on the agenda, in terms of official action on what this Council would take, that would be things like recommendations that we need to be made by an agency pursuant to the statute ordinance, executive order, the establishment of policy, the decisions we need to make on agency business or vote on. We have nothing to vote on today so that comes from the Sunshine Act and it has to be done here. We're not deliberating on anything right now, she's sharing an update. She's hoping there is something to deliberate on or take action on, very, very soon.

Mrs. Zavacky said she received many emails and she shared that update that we would be covering in the report part of the meeting and everybody seemed fine with that. She got a lot of thank you's and appreciated that it would be covered. She wanted to start by, again, letting you all know, she grew up in the area here, she was a Salisbury resident, they don't have a library. She went to the Emmaus library. Her mom took her there all the time, and all her childhood years through high school, she lived at that library. She studied there, she got books there, the whole nine yards. So part of her childhood she values it. She values the passion that this community has for the HAL. She loves the signs, she loves the passion, she loves that this community has rallied around something that they love. She personally has taken the opportunity and she thinks many of you see her, take the opportunity to get more involved. She puts herself out there. She knew it was going to be met with a little resistance, met with criticism, skepticism. She also became a member of the Friends Organization. She tries to offer some ideas around fundraising, how we can get the word out. She's heard everyone's concerns, she participated in HAL board meetings, she offered suggestions on a few discussion points that she felt was of value and tried to help out on a few things. As a whole, we do have a responsibility to taxpayers to do our due diligence in showing that the dollars are going towards services, assets, safety, organizations and community that also benefits our residents. Our simple inquiries that we had regarding the agreement and the rates, in which we were asked to pay, they were met with resistance and that ultimately brings us to where we are today. It's not the value of what the library offers, its why was there resistance and that's the piece we are struggling with.

Mrs. Zavacky said so, where we are at today. Since January 19th, we haven't received any official communication, a refusal, a request, a direction or any other pertinent updates from HAL or its attorney. We learned that on January 25th at the HAL board meeting, our \$50,000 donation was rejected by the board. She personally was not at that meeting, but thank you Sandy for attending on her behalf. She was celebrating her son's senior night that night. It's an important night for him.

**General Business & Developer Meeting
February 16, 2022**

Mrs. Zavacky said there was no reason for official stance communicated back to the Township officially of why that occurred, thus, they voided the check, so we knew that was not going to be issued. Please keep in mind that our motion still stands, as does the money that is available to HAL with the opportunity to further funding discussions through 2022, that motion is still out there. Below is the timeline:

- Since the last Council meeting, she and the Solicitor have had one meeting with the HAL President and their attorney, that was one meeting they were afforded on February 4th. The Solicitor, Jason and herself had one meeting with the Southern Lehigh Public Library (SLPL), Upper Saucon Township Manager, and the library district consultant for the Lehigh County Libraries. Then they also had a meeting with the State, the Office of Commonwealth Libraries. She personally had three or four informal conversations with Ken Solt in late January, towards the back end of January to keep the conversation going. They requested a follow-up connection with HAL earlier this week and she has not yet received a response since Monday. She personally had three or four informational conversations with Bruce Eames from the SLPL as well. Other actions that have happened inclusively by HAL, not by us, was that they signed an agreement with Hellertown Borough (HB), amended its by-laws and provided statements that LST residents would be able to continue to use the library. So in the HB meeting, there was a timeline that was discussed and shared with everyone and she really doesn't want to go through every single email and conversation that was had, but they did create a timeline of all the emails that went back and forth, mostly between Leslie, our Township Manager, and Cathy, the HB Manager, back and forth over the past couple of years.
- Mid July 2020 through present – she will happily give this to everyone in the audience, you can post it or if people want to see a copy of these, it's a spreadsheet that has a copy and paste of all the email transactions, who it was to, who it was from, and who was on CC. This really started back in 2020, kind of what's going on with the library and this actually started with Kristen Stauffer (KS) who said she would like to have a conference call in the next week or two, this is July 2020, to discuss approaching the budget deliberations. This is the time we do that, we need to get that going, so she wanted to get that going and since it was Noelle Kramer (NK), the Library Director's first year doing it, she thought it would be helpful to get both the Township and the Borough's outlook for next year and they had an agreement that was attached. So that was Cathy Hartranft (CH) who said absolutely, let's do that. She's pointing out the things that were different than what the rundown that was prepared by HB.
- In August 2020, it was Leslie Huhn (LH) emailed to CH, she just wants to read this as it can give folks a little idea like why we are asking questions. "She wanted to see if your Council members have been receiving emails from residents about library funding. It appears the new director NK has started a social media campaign, regarding loss of funding for the library. This was briefly mentioned at our last Council meeting. It appears that State funding may be reduced but no one is saying how much that revenue is and if it will be completely defunded. The impression that is being put out there is that both HB and LST will be reducing funding as well. I have not heard that on my end. As a matter of fact, we have yet to receive anything from the library for budgeting purposes. I am concerned this rally is to pressure the borough and township to subsidize the loss of state funds." CH replied back to LH, and said "yes, we were a bit taken back by the content of the campaign. Council is not interested in cutting their funding or increasing their funding, did you get an email from NK asking for a meeting".
- So then a meeting occurred. The fact that this was going on raised the eyebrows. Then we had requested usage statistics and in September 2020, actually it came from Brenda Detweiler (BD), from the Township, asking for usage statistics and the breakdown between HB and LST. Those were provided in 2020. That was done.
- Fast forward to 2021, on April 7th it was discovered that HAL had a non-board member make a motion and voted during a board meeting. That occurred, so on April 21st, Julia Sefton (JS) who is the President of HAL, wrote a letter and a statement it was here in

person, apologized for the mistake, and the Council appreciated the background and apology. Councilman Banonis suggested that we could use Attorney Treadwell to be able to and perhaps HB's solicitor to meet informally and help the HAL board with their rules and procedures. The nice thing about this, why she's sharing this, if you read the minutes, when JS was sharing her apology and written statement, it was very, very well received by this Council. We appreciated the transparency, we appreciated that she said we need to work on that. She's just making it known that the fact that she came and shared and communicated and was okay to have a conversation. This Council was great, okay, how can we help you. She just wants to make sure that was put as a comment in this discussion.

- So in the summer 2021, there are pieces that were discussed by HB Council in their outline, that was a little bit left out. She doesn't want to read everything here for you guys. Okay, so, she will just summarize that August 26th, LH had sent an email to CH saying 'we never really finalized our discussion with NK and now we are coming upon our budget season. Are you keeping your funding the same for next year? The agreement is expiring this year and we need to determine how we are going to renew the contract. Have you received any capital requests from the library? I have not so I don't have anything to take to Council other than our regular funding. Let me know if you would like to have a conference call with NK to see if we can get some updates'. CH replied that "she thinks we should reach out. According to the agreement, the library should provide a proposed budget to us soon. I know we are waiting until they updated their by-laws but reading the most recent minutes, it appears they were going to hire an attorney. I can still reach out to NK to set up a meeting".
- So basically kind of fast forward into the end of, sorry, right around that same time, sorry, her dates are wrong. From LH, saying "my only problem with our draft budget is it is being presented at the Wednesday Council meeting, I don't have anything in it for the library so it would be beneficial if NK would provide something today. Otherwise, we'll have to explain that we will need to adjust the proposed budget. I've copied NK to give her the heads up". Then that day, later on that day, the 5-year budget was provided. NK said "I have attached a copy of our 5-year budgeted that was reviewed by my board on Tuesday. As you can see, it is not a rosy picture. Just so I understand, does this mean that there is no funding for the library at all next year". CH replied "our respective Councils will need to approve the allocation. We really should work on another 5-year agreement". LH then replied "we have budgeted the same amount as this year". NK replied "whew, that's a relief, I thought you meant we were not in there at all. I would beseech you to increase the amount. We are barely getting by, our costs are increasing daily, and we are looking at cutting programs and services to make ends meet. As to an additional employee, we have been down an employee since Robin left. It makes it almost impossible to take sick days or cover any vacations. It was a desperate cost cutting measure". LH replied "I totally understand, but I do not think Council is going to be comfortable in increasing the amount until we have a new agreement to share with them. They kind of go hand in hand".
- So on October 5, 2021, LH sent a message to CH, "looks like Ken Solt (KS), NK, Matt Marcincin (MM) saying I've been reviewing the documents NK provided, it's a little time consuming to read and compare the changes, would you be able to provide the documents showing the revisions in tracked changes'? So in Word you have traction changing, and you know what has changed. "It was hard to see the changes and it's a very lengthy document. CH would like to present this to her Council as do I and it's going to be much easier to present showing what's changed. One thing I do not see is reference to the issue of having an even number of board members and the possibility of a tie vote that the President would not be a voting member, did we ever solve that issue? Maybe I'm not seeing it, let me know if you are able to provide so we can all discuss".

General Business & Developer Meeting February 16, 2022

- So this went on until, back and forth, where we never really got resolution. So it basically came down to, I think it was on 11/9/21, NK saying “she’s sorry to hear the agreement is not moving forward (which was never said)”. LH replied “I never indicated that the agreement is not moving forward or not on track. It only states that that I cannot put it on the November 17th agenda. It will be on our agenda on December 1st”. NK said “I am so glad to hear that, I misunderstood your message”. Then CH also asked “is there was a summary of changes made to the agreement and by-laws”, so everybody is asking for this information.
- So then on 11/16/21, we find out that CH sent an email to NK and LH saying “I’m pleased that Council approved the HAL agreement last evening with the inclusion of the language as discussed”. So everything went down, HB signed the agreement and we’re like, whoops, and it’s a 3-party agreement. So all three parties have to agree with the terms when they sign it.
- She just wanted to make sure and she apologizes if that took a little long, but she is happy to give the electronic copy of those emails to anyone who would like to see them as you can see all the words and everything that is shared. OK, where are we at right now.
- On the 25th of January there was a HAL board meeting and we understand that the \$50,000 donation was refused. Thank you Sandy again for attending for her.
- On the 30th there was a special HAL board meeting. She followed up on when the next meeting would be, she attended it. LST residents are still on the board at this point in time. Some folks have been saying that LST relinquished their rights to have people on their board, when actually there were some people on the board voting and participating. She was actually sworn in as a board member at that meeting on January 30th.
- On January 31st, there was a special HB Council meeting held to review and execute the agreement between HAL and HB. What’s important about that agreement, in that agreement it said that the library should promptly after the effective date d amend the by-laws so that the HB has the power to appoint a majority of the library board directors, the by-laws should also be promptly amended so that LST does not have the power to appoint library board members. The library should promptly reorganize its board so that the composition of the board matches the composition of the board as provided in the amended by-laws. So they had to amend their by-laws based on what HB had instructed them to do, which she knows they were doing and had shared the by-law draft.
- On February 2nd, she attended the Friends meeting and tried to get some ideas and ways we can raise more funds together as a community. There are a lot of people in attendance, which was great. Priscilla, she saw her on that as well.
- On February 4th we had a meeting between herself and Linc and the president and their attorney, Mark Aurand. They were still discussing the potential for an agreement arrangement between the two parties, between us, we agreed that there should be an agreement arrangement between us directly, versus a 3-party agreement. So everybody was coming on the same page there. That attorney shared a “here’s what we’re thinking” and stated, but in terms of what they could think an agreement could look like. They stated it’s not official they’d have to have a meeting with OCL that was coming up which is the Commonwealth library people from the State and they also had to talk to HB. We agreed we would think through it and discuss it, HAL would have to get back to us after their upcoming meetings and this was on February 4th.
- So on February 6th she attended a special HAL board meeting, this is again on Sunday morning at 10:00 a.m., they wanted to approve the amendment of the by-laws per the new 2-party agreement that was approved, and revised, a draft in the by-laws. The revisions were approved by a vote of 6-1, she voted no. LST could not appoint board members with that revision. She brings that up if an agreement is desired by the library to sign an agreement and still pay and be the majority of investor, donations towards the library to not have any members at all on the board, doesn’t really make sense.

**General Business & Developer Meeting
February 16, 2022**

So what were the issues were with the agreement, she just wants to point out a couple things. A lot of people are asking what were the problems. What did you guys say? We said several aspects were wrong that we did not feel were right with the agreement originally, the 5-year agreement between the three parties and we were advised not to sign it. These concerns were outlined by Mr. Treadwell and they were provided directly to HAL for comment. We did not feel those should be made public. There are contractual discussions back and forth, that's not something you put in public record, if she's not mistaken. That was given directly from Mr. Treadwell to HAL. What we also had issued was the "sign now" approach towards LST. That's not an approach that's typical of a 501(c)(3) organizations and we have not witnessed similar approaches with other non-profits organizations to date. If funds are requested or are needed by, for example, like our fire rescue organization. We've seen fully and informed presentations, rationale that's prepared. It's typical and collaborative in nature, you meet with a few questions, you have a constructive dialogue and ultimately become supportive.

So there are things with the library that I don't know, Ms. Andrea hasn't had a raise in a whole year, and she can go down to Giant and make more money. We would love to pay Ms. Andrea a little bit more or we'd like to remodel the kid's activity room, or whatever it may be. Those are the kinds of things we were not hearing. We were hearing that please pay this now, here is the amount, so those are the things that we thought were important to us to understand before we make the investments. She will try to keep going here.

So over the past 8 years it's become obvious that this Council did not spend much time with asking many questions on the annual or on-going basis as to how the organization was being run financially or organizationally. She thinks in past Council, that was amiss. The fact that it's all coming to a head right now is unfortunate, but this is something we should look at every year.

Ms. deLeon said it's so easy to blame past Council. Mrs. Zavacky said no, she's just saying it was something that people didn't really look at. She also heard from one resident that emailed her that they were on the HAL board at one time and they would rarely see a Council liaison from LST attend back in 2018, 2019. Having that Council liaison or representative is important to attend these meetings. Whether it's the library or whatever it is, it's important we go to those things to make sure things are on track and we are communicating back and forth. So she's sure that's why people are taken aback by all the questions. So she understands that.

Mrs. Zavacky said so coming out of our January 19th meeting, still to date we have not received a copy of the HAL's 2020 990 nor the financial statements that we had asked for, so that still has not been provided. So at the end of the day, and this is her very last page, HAL has a reliance on the municipal and state funding, and that the reliance is very high. The budget forecast that was provided to us for 2022 shows that HAL's three-year average combined income of 79% comes from HB, LST and the state. If funding from local or state sources becomes jeopardized such as natural disaster or some needed redirection of funds, HAL's financial health could very well be impacted. As of the end of 2019, HAL reported they have \$314,000 in its endowment or have funds available in cash. That amount has been growly yearly. She thinks the budgeted amount was \$380 K and for 2021 was budgeted to be in cash

Mrs. Zavacky said regarding the Giant gift cards, she personally had a concern with that as when she read the reports that were given to us, it looks high. \$24,000 of Giant gift cards that were purchased, you think when you buy those cards, you buy them at a cash for cause program, you buy them at a 5 or 10% discount then you resell them. What she was worried about was are they putting out \$10,000, \$15000, \$20,000, or \$24,000 in Giant gift cards and then you got to move them as they are inventory and cash which you aren't putting towards other things. So a 5% return is kind of low. You are asking the questions; she's giving the

**General Business & Developer Meeting
February 16, 2022**

answers. KS had shared that is done on an on-demand basis. She guesses somebody comes in and they say they are ready to buy some more gift cards; NK goes down to Giant and buys the gift cards and then they sell them right back. She was okay with that answer because that's what KS told her, so it's okay. She was hoping that an outlay of \$24,000 was not being made to go buy gift cards and then are sitting to be sold. She was satisfied with that answer. That was one of the things we wanted to ask.

Mrs. Zavacky said back to transparency, we ask the question and they provided what to be seemed a fair answer. Fundraising overall, this being a non-profit, the commitment to self-generate an income noted as fundraisers I think is very low for this non-profit organization. Throughout of 2021, there was less than \$3,000 raised. She's pleased to see the renewed focus in this area with HAL. When municipal funding became jeopardized, many jumped into this to assist and this activity should be a focus of all time, of all times. She understands that COVID happened last year, but the numbers are low for all the years prior to that. She feels there should be a commitment or goal that the organization states at the beginning of each year to establish fundraising goals. It raises the question that perhaps the organization do they need to raise funds. If they are not raising funds, do you not need the money?

Mrs. Zavacky said alright, so those were the things that a lot of people were asking. In terms of authorizing litigation, so you are saying why are you doing that. So she just wants to put it out there that we needed to think ahead about that concern that we were being criticized that if HAL refuses our residents come February 1st if they accepted the funds and denied library services it wouldn't be legal. We provided \$50 K in good gesture while explicitly keeping the door open for further funding in 2022. Although the library board itself has not explicitly said they would deny access to our residents, the library director, the staff, has led most of our residents to believe the stance would be that they would be restricted from the library so that is why we made the motion to make sure our residents can still attend the library because it is a public library.

Mrs. Zavacky said why did we not have a special meeting this month or last month, everybody wants to know that. So like she said in her earlier statements, conversations and meetings what she calls negotiations or discussions have been going on since January 16th but there's nothing to report or meet about. So unless we have something we can sink our teeth into to do, we're kind of in limbo.

Mrs. Zavacky said then SLPL, many people are asking what's going on there. She had several conversations with the Bruce Eames on multiple occasions, meetings between Bruce, Lynette, Mark Sullivan, District Consultant, Tom Beil, UST Manager and Jason and our Solicitor on January 28th. The meeting was very introductory in nature and served as a forum for us to ask questions and for them to ask questions back to us. We left the meeting with the understanding of SLPL's stance was to hang tight until we resolved our discussions with HAL which we agreed with. No action other than for Mr. Treadwell to share a summary of what was discussed at this meeting and provide this to Bruce and Tom Beil. We agreed to keep in touch but no action to date. We would not be issuing a check as they are not ready yet and SLPL stated they were going to reach out to HAL to meet with them which happened on February 7th which is great.

Mrs. Zavacky said should I read the statement from SLPL? Mr. Carocci said absolutely. Mr. Banonis said it was issued last night. Ms. deLeon said yes, it was, she was on the call. Mrs. Zavacky read the statement as follows: Public Statement – Situation with Lower Saucon Township and Hellertown Area Library, February 16, 2022: Southern Lehigh Public Library (SLPL) finds itself entwined in a disagreement between Lower Saucon Township (LST) and the Hellertown Area Library (HAL) regarding library services. I want to take this opportunity to update our Patrons and the public regarding SLPL's involvement in this situation. This is a disagreement between the two entities noted above. This is not our fight

**General Business & Developer Meeting
February 16, 2022**

and we are not involved, despite all the rumors and reports that have been published via the press and social media. Frankly, we do not want to be involved in this fight and have made that very clear to both LST and HAL on several occasions. SLPL's Board of Directors feel that it is in the best interest of all involved for LST and HAL to continue negotiating and come to an agreement. It is not SLPL's intention to shop our services to additional municipalities and organizations. We currently serve Upper Saucon Township, Lower Milford Township, Coopersburg Borough and the Southern Lehigh School District. That service area has worked very well for many years and our plans are to continue that relationship for the foreseeable future. There have been reports of a possible financial donation being offered by LST to SLPL, but no action has been taken and we believe this is on hold. Currently, LST residents with HAL cards are able to utilize SLPL via the Access PA Reciprocal Borrowing Program and we expect that will continue while negotiations take place" (and that's something that they have done for years now. They sway many LST residents are coming to their library).

Mrs. Zavacky said there was a statement provided by KS on Monday from the HAL Board of Directors as follows: Dear Library Patrons, as stated previously, full library services which are under our control continue for LST residents through February 28, 2022. We've recently been in contact with the PA Dept. of Education's office of Commonwealth Libraries and they are to assess the situation. In the meantime, our remarkable staff will continue their high level of service to residents of HB and LST regardless of residency. Therefore, the services of our patrons that they know and love will continue for an undetermined amount of time while we wait for guidance from the Commonwealth. Although we continue to serve both communities as of February 1, 2022, local municipal funding of HAL has been provided solely by HB. As the funding agreement with LST officially expired, please continue to let your friends, family and elected officials know what HAL means to you. Best Regards, Ken Solt". Mr. Banonis said what was the date of that. Mrs. Zavacky said February 14th. Mr. Banonis said that was after the meeting with the OCL. Mrs. Zavacky said as she understands it, they had a meeting the Friday before that. She has not received communication since February 4th.

Mrs. Zavacky said so at this point, we are still open and encouraging continued discussions with both SLPL and HAL. Library services are not interrupted for the future right now, so everybody is remaining cool but we would love to hear back from HAL and see what we could do to get together and move forward.

Mr. Carocci said did we ever get the solicitor's report on the library? Mr. Banonis said not yet. Ms. deLeon said first of all...Mr. Carocci said this is her Council comment. Ms. deLeon said she's asking Jen a question on her report, can I do that. Mr. Carocci said he thought we were doing Council reports.

Ms. deLeon said it's on her report that she just stated. She has some questions. You said something that why this wasn't on the regular agenda was because there was nothing to vote on but yet the Council salary issue was an agenda item, but it was just there for information and there was nothing to vote on. So your comparison, in her opinion, is not right. The threat of litigation, it bothers her because when you go to an attorney, the attorney usually tells you do not speak to the other side. Now we have this threat of litigation, up in the sky and how can the library talk to you. She's even afraid to talk to them because she knows that Council tells you not to talk to each other, so she thinks if that was rescinded that it would break the, kind of get back together again.

Mr. Carocci said he would like to address that. He is no way in favor to rescind that. Before that was voted on and authorized, December 1st the HAL came in here and threatened to cut off service January 3, 2022 then at the January 3rd meeting they threatened to cut off service January 31st. Then at the January 19th meeting they threatened to cut off services on March

**General Business & Developer Meeting
February 16, 2022**

1st. So they threatened three times to cut off service prior to our vote to authorize Linc to take action if needed. We are just protecting our citizen's rights. They took state funding this year, based on LST's population and his only thing is if they are taking state funding for LST's population and threatening to cut off services to LST residents, then we need to be able to send Linc into court to protect LST rights. They threatened us three times to cut off services before we authorized Linc to file legal action, if necessary, three times. Mr. Banonis said it wasn't until he met with the OCL that they finally issued a statement to de-escalate and no longer commit to a certain date to cut us out. If he understands what you are suggesting we should just trust their goodwill that they are going to have the library open and allow our residents to go into that library. He thinks it's a fools airing for us to not reinforce the weight of this Council and our township resident's interest and to suggest to put the library's interest ahead of the interest of the Township residents, he just cannot comprehend. Mr. Carocci said who do you represent. Do you represent LST or HB or do you represent yourself? Ms. deLeon said you run for yourself.

Ms. deLeon said that's really low, you are going to find...Mr. Banonis said we're on good behavior all night, its 10 p.m. Ms. deLeon said she's still talking. Mr. Banonis said its 10 p.m., let's continue the meeting if we can get through this tonight, he doesn't want to have to call anybody out by name, and he'd appreciate your cooperation here. George, you don't have to wave a book around that says liar, liar on it. Mr. Gress said why not, it speaks the truth. Ms. deLeon said she still has the floor. Mr. Banonis said fine, if you want the Jerry Springer show while you are speaking, we can have that. Ms. deLeon said no, she wants order, but again, out of respect to the residents sitting there, they have a right to do what they want. They are not being loud. Tom, when you go back and look at the minutes from your last two years, you're going to find things you said that you probably didn't mean to say and it probably just came out. But anyway, so she's just telling you what she thinks about this whole library thing and she's bothered by the threat of litigation. She thinks that it's hampering discussions and she does represent the citizens of LST because we were one-third of the library agreement and the library agreement had an end date on it and for some reason we never went past that date to have another contract, so she's trying to find resolution to get another contract, and now we're at the point that it has to be a bilateral contract instead of with the third party. So what's going to happen on March 1st?

Mr. Banonis said you just heard the statement, why don't you ask KS or somebody from the library. Jen's already said they haven't responded to her since February 4th. Mr. Carocci said they said for the foreseeable future. He assumes that's further than March 1st. Mr. Banonis said you were on the call last night. Ms. deLeon said she was on SLPL's as a concerned citizen listening to the SLPL agenda they had, what call are you referring to. Mr. Banonis said the call you're on because you wanted to know what's happened at SPLL so that you could investigate and report back to HB. Is that what your intentions were? Ms. deLeon said no, there were other HB people there. Oh my word. She's impressed with you. Mr. Banonis said go ahead Priscilla, go ahead. Ms. deLeon said she just wants to know where your due diligence was with SLPL. They are a respectable library and she told them that last night that she has no issue and she's only heard good things about that library and they were very accommodating to the people who signed on that call that wanted to speak, all letting us speak, they didn't even put time limits on. Mr. Carocci said they should have. Ms. deLeon said SLPL, did you do your due diligence like you went, did you get a 990 from SLPL, did you look into their budget, did you see what was in their past, what is their fundraising activities. Did you do any of that stuff?

Attorney Treadwell said he has four years of SLPL's 990's just like he has four years of HAL's 990's. Mr. Carocci said but we don't have...Attorney Treadwell said let me finish. He asked for a 2020 990 from HAL and he doesn't have it yet, it isn't posted on the IRS website. The four years of 990's from SLPL showed that each year, 16, 17, 18, 19, the SLPL shows a, they are both non-profit corporations but he's going to use terms everyone

**General Business & Developer Meeting
February 16, 2022**

understands. Each year the HAL shows a profit, each year the SLPL shows a loss. For the four years he's mentioned, the HAL shows a profit in excess of \$500,000 for that four-year period which means their income exceeded their expenses by over \$500,000. Ms. deLeon said right. Mr. Carocci said didn't NK write an email saying that they are going day-to-day.

Ms. deLeon said point of order, does she or doesn't she not have the floor. Mr. Banonis said Linc finish please. Attorney Treadwell said does anyone want to hear his answer. Ms. deLeon said she's not finished with her report. Attorney Treadwell said you just asked him a question, does he have the 990's and he's answering her and he does. One of the financial questions he has is why was the increase requested of both LST and HB when it appears that financially they are doing fine. Your comparison to SLPL that you asked about, in comparison, SLPL is not doing as well as the HAL is. One of the questions in the meeting Jen mentioned with the HAL was, where did the \$107,168.04 come from. We didn't get an answer. Ms. deLeon said it was per capita. Attorney Treadwell said the other question it was \$9.96 per capita and the question again was where did the \$9.96 come from. That's a somewhat random number. It's not a round number, it's not \$9.50, it's not \$10, not \$9.75, it's \$9.66 and he doesn't know where it came from and he thinks that as a Council, you would probably want to know where that number came from before you agreed to pay it. The other question he had for HAL was in terms of the profit you are showing on your 990's for that five-year period, what was the reason for asking for an increase from the \$8.37 to the \$9.66. The answer he got was you're buying services and the price of the services is \$9.66. He said respectfully he disagrees with that. The Township is not buying services from the library. The Township is making a contribution to the library. The Township is supporting and aiding the library which is the exact language in the State library code and all of the regulations that are promulgated under that code. We have a fundamental difference of opinion, which he's hopeful we will be able to resolve going forward in terms of who gets to make the decision as to how much LST donates to the library. Does the library make that decision, or does the Township make that decision. His opinion is that the Township makes that decision because its taxpayer money that was collected by the Township and this elected Council gets to decide how to pay it. HAL's position seems to be that the library gets to decide how much LST will donate to it or sign a contract or an agreement for and he has a fundamental problem with that. It's a very simple question. We have a difference of opinion and it's that simple question that all of this chaos revolves around. Who gets to make that decision? Is it a Township decision or a library decision?

Ms. deLeon said when we were with the City of Bethlehem, annually they would set the cost. We had one seat on the board, and they would set it. Attorney Treadwell said you are absolutely correct and we left because of that reason. Ms. deLeon said no, that wasn't the only reason. Attorney Treadwell said yes it was, he was here. He knows what happened. Ms. deLeon said she was here too. Attorney Treadwell said what happened was the Township Manager at the time, Jack Cahalan, said I'm tired of paying them an increase every year just because they want it so we are going to look for a different option, so we left because of that, that's what happened. Ms. deLeon said that's not the only reason. There were multiple reasons. The person on the board that really didn't have much say. Attorney Treadwell said we had a person on the board. Ms. deLeon said she liked the City of Bethlehem library.

Mr. Banonis said did you advocate for it for us to leave and go there. Ms. deLeon said she didn't say that. She said we were with the City of Bethlehem library and she liked their services. At the time, HAL was just starting up. We had to pay and make an investment into them to expand for services to provide for the increase of patrons because of our residents using it and that's what we did. Mr. Banonis said and you voted against it as he recalls. Ms. deLeon said she did because she liked the Bethlehem Library, but now...don't laugh Jennifer. She voted her reasons that night just like you would vote and look back on it and say why did she do that. Okay, so she supported staying with the City and she lost

**General Business & Developer Meeting
February 16, 2022**

and then she supported HAL because that's how Council voted. Attorney Treadwell said he doesn't disagree with her but the original reason was the Township Manager at the time was tired of the City of Bethlehem raising the rate every year and the Township having no say in the amount. That's the exact same thing we are talking about right now. Ms. deLeon said she thinks she's done for now. That's not her entire Council report, that was just...Mr. Banonis said we're not having a debate here. Ms. deLeon said are we done talking about the library. Mr. Banonis said Tom wants an opportunity to speak, he wants an opportunity.

Mrs. Yerger – No report

Mr. Carocci

➤ He thanked Council person Zavacky for her hard and outstanding work as library liaison. He's satisfied with the direction and the way things are going. Council took three critical votes to fund Hellertown \$50,000 and to fund SLPL \$50,000 and authorize our Solicitor to protect our citizen's rights. Then HB agreed to \$75,000 in addition funding for the library, which he thinks is great for the library. The Friends of the Library have gotten off their hands and started fundraising, he hears there's solicitations of individuals and businesses, bake sales, those are all wonderful things and should have been going on for years. Overall, the HAL's engaging the public at large, that's all a good thing. He thinks the website is updated somewhat. HB taking the opportunity to review joint effort with LST, that's something that should be done every two years by every municipality. If you are a responsible municipality, you have to understand and determine whether the services of the agreements are beneficial to your residents and their residents, are they being funded at the appropriate level, and what changes if any should be made. He thinks that's great HB did that and he thinks LST should do that as well. We finally learned about the financial condition of the HAL because of these folks. They have \$381,000 in the bank. Prior to that we were getting emails from NK saying that they are day-to-day and they don't know if they could make it. Jen summarized it earlier where NK is pleading poverty. He thinks those votes and the direction this is going is good. These discussions were long overdue to be had and now they are being had. He thinks that we will have library services for the rest of the year, and he's also spoken to the OCL and they are the ones that told him basically HAL applied for their grant in the fall from the State putting LST's population in there, and they got that grant for the calendar year, and if they are now going to say LST residents can't use the library after accepting that grant money and applying for it, under those conditions, the State will have a problem with that. He's not worried at all that we aren't going to have library services from both HAL and SLPL and a third City of Bethlehem from the PA Access card. We're fine there. A lot of people emailed and said what's going on, but it's being worked on and this was long overdue and he's glad the HAL is at least for now stopping their ridiculous threats of cutting off LST residents from services, that's good, but he'd like to address one thing that Priscilla stated. The HAL was told officially by the State and he knew this prior, on Friday, February 11th they had to keep serving LST residents and couldn't cut us off. They applied for the grant, they got the grant, and it's for the calendar year. You knowing full well as you are in cahoots with them, you wrote in the Saucon Source on February 13th, two days later, that our residents only have library access out of the goodness of the HAL. It was State mandated. Ms. deLeon said she didn't know that fact. Mr. Carocci said you wrote that in the Saucon Source. Ms. deLeon said she's not going to retract it because on that date, that's what she knew. You're a lawyer, you should know that. Mr. Carocci said you should retract it. Ms. deLeon said she's not retracting it. Can she ask him a question? When you're a non-profit and you receive a contribution or donation and it's earmarked, and restricted, do you know what that means? Mr. Carocci said if it's earmarked and restricted, that's what you are supposed to use it for the purpose. Ms. deLeon said for a certain thing, so if it's restricted for certain uses, did somebody look to see if some of that \$500,000 or \$300,000 was earmarked. Mr. Carocci said he didn't look at it, they looked at it - Linc and Jen. Ms. deLeon said you seem to be calling and finding out all the answers, so...Mr. Carocci said he got connections, baby. Mrs. Zavacky said they couldn't answer those questions. They said it's for a rainy day. The lawyer said it was for a rainy day. Mr. Carocci said the lawyer for the HAL said it was for a rainy day. Mrs. Zavacky said the

**General Business & Developer Meeting
February 16, 2022**

money is for a rainy day. Mrs. Yerger said you can't use a rainy day as restricting...Ms. deLeon said she didn't say that. Mr. Carocci said it's raining, it's raining. Attorney Treadwell said the 990's all show that information. You can tell from the 990's which projects have been capitalized, for example, there's a, and believe him, he knows more about IRS 990's than he ever thought he would. When you show your income, and your expenses you will see on the 990's you think wait a minute where did the money go but then you understand there are certain things that can be capitalized which means they invested the money in the building or they bought a new computer system or did something like that and that doesn't show up as an expense from that year as it's capitalized over a period. There are also numbers on the 990's that show what's restricted and what's not restricted. He did not memorize the 990's but his recollection is that the vast majority of that \$500,000 was not restricted. Ms. deLeon said okay, thank you. Mr. Banonis said Mr. Hantz, could I ask you to reposition yourself to the door and he asks that because there's a gentleman that just walked out and he mouthed to me, Mr. Carocci Jerk with an angry look on his face, in his opinion. In the interest in the need for you to react to something, he doesn't know if he's coming back, but he'd prefer to have him there.

Ms. deLeon

- We received an email from the PA DEP dated February 8th, it was the second Environmental Assessment review for the Bethlehem Landfill (BL) and if you recall Tom, we had this conversation she was concerned about methane seeping through the ground and the ballooning and all that stuff. She was very pleased to read in their review letter, which you should talk about tomorrow. Mr. Carocci said he's no longer the liaison, Jason is. Ms. deLeon said she's sorry. The DEP letter says in part due to an uptake in recent odor complaints, correspondence received by DEP, from LST regarding concerns about odors, observations during DEP inspections conducted since the DEP's first Environmental Assessment letter, was sent on September 24, 2021, recent landfill gas and emissions monitoring results and the BL failure to complete geo-synthetic capping projects in a timely manner, DEP believes BL should implement additional mitigation surface monitoring to be conducted in areas of intermediate cover and re-evaluate the current final and temporary capping schedules as proposed. So, again, she encourages people if you are driving past the landfill and are on Applebutter Road, Ringhoffer Road, you are driving around, if odors are detected call DEP complaint line and report it. You are not wasting your time, they are listening.

Mr. Banonis

- They talked at the last three meetings about the Easton Road ballfield, the plan has been finalized by the Township Engineer. He presented it to SV Diamond Sports. They liked the plan a lot and are going to be providing specifications for implementation to that plan, dugouts, storage, and a press box. During that presentation, they brought up having some renovations to the softball field. He also presented the final plan of the ballfield to Parks & Rec. on February 7th. They liked the plan and want to see it brought to conclusion as it's been on their agenda several years ago and want to see this come to fruition. There was a motion of having a pavilion and this can be looked at. During the P&R meeting, the President of Diamond Sports Softball requested improvements to our lighted softball field at Town Hall and wanted some drainage improvements. He noted that in the past somebody, he can't say it was Council, staff or Public Works, they were using topsoil as opposed to infield mix and that's not appropriate for that type of field. The other request was there have been times they have been unable to use that field because it's been booked by another organization and they asked if we could make LST and HB softball organizations a priority on that field and they also asked if they could maintain the infield and would be happy to do that. They are the experts and it's less labor for us to do.
- During the P&R meeting, it was brought to our attention there was a donation of two to four LED lights for the basketball court outside of Town Hall. We just need to find an electrician to install them and he can help coordinate that connection. They also asked if the times on the timer could be changed from 5 p.m. to 10 p.m. and that's because it's dark at 6 p.m. and right now the timer is set for 7 p.m. so there's a period when it's dark and it can't be used.

**General Business & Developer Meeting
February 16, 2022**

- He mentioned the SVP meeting and attended by LST and the SVSD on February 9th. We approved the Comp Plan. Leslie will send a copy to HB. HB at that point, there was a vote to forego any further meetings to be scheduled during 2022 and also a vote to forego any reorganization because HB decided they were not going to participate. There was a request that LST as we are acting as the Treasurer for the SVP, to provide accounting at the end of the calendar year.
- On January 20, 2022 he attended the landfill committee meeting and received the standard report from Waste Connections. Scott Brown was there as the LST Host Municipal Inspector and provided his report and didn't identify any irregularities. The next meeting is on April 21st. DEP's report was received from January 5th and it appeared everything is in compliance except some overweight trucks and a slight odor noted on January 18th during a routine patrol. DEP municipal waste permit modification for the Northern Realignment references additional odor mitigation measures so it seems the letter we authorized to go to DEP was met and addressed. His understanding is that Waste Connections agrees to those odor mitigation measures so he's hoping the odor issues reported are being addressed. He would not that the odor complaints since the beginning of the year for the last 7 weeks total only four in number so he doesn't know if there are less odors or those reporting are busy with other things. There was a report last week of trash blowing offsite, he knows Leslie sent a notification to Waste Connections and they responded in less than 24 hours and agreed to address it, so it seems the landfill is doing well and being a good neighbor and citizen.
- Earlier today he participated in a telephone call with representatives of the Office of Commonwealth of Libraries, there's nothing to hide. The meeting went very well, there were five representatives that participated. There were a couple of things important at that meeting. We know from them that HAL representatives met with them and don't know the outcome of that despite Jen's request for that information. The folks from the Office of Commonwealth Libraries were very forthcoming with information. They confirmed to us that HAL requested funding for the calendar year 2022 and they received their funding for 2022. They also indicated that the funding is through December 2022 so our residents can access the library through then. They also confirmed the State considers the HAL to be LST's home library. They further confirmed that their foundational idea is that libraries are for everyone and no one should be excluded from libraries. They were presented with some information we received that a Councilman from HB suggested that only children and veterans should be provided access to the HAL after failed efforts to shut out LST would occur and there were references that those efforts were specifically to be directed toward senior citizens for punishment for voting for people who are on this Council. So the Office of Commonwealth Libraries assured us that their view is absolutely, one that the Commonwealth's subscribes to. They again believe libraries are for everyone. They also stated very clearly that library services are not a game. So against that backdrop that he's ask it be solely irresponsible for those or anyone who is misinformed in the public about threats of being shut out from the HAL especially when you are sitting on \$500,000 or \$300,000 and causing people to have anxiety and concern about their library services and to continue to urge that misunderstanding is entirely inappropriate. He hopes that those responsible for it knock it off and is hoping the messaging they received from the Office of Commonwealth Libraries resonates with them and penetrates. He also wants to share some messages in support of LST Council and he thinks this is important. Since there is some local opposition to LST Council's efforts to ask the tough questions which should have been asked over many years, but were never asked and are being asked.

Mr. Banonis read the first email he received: "Lower Saucon Township Council Members: Thank you for your due diligence in the decision regarding the tax dollar amount going toward the Hellertown Library. Lower Saucon Township is fiscally sound with a surplus of cash in our General Fund due to the Bethlehem Landfill tipping fee. This surplus has come with a price to the residents who live near the Landfill through the loss of their home values along with Quality of life. Yes, the Library is an asset, and is deserving of a contribution. However, Lower Saucon Tax dollars belong to Lower Saucon

**General Business & Developer Meeting
February 16, 2022**

Residents. There should not be any entitlement to neighboring municipalities. Thank You Again.”

Mr. Banonis read a second email he received: “We wanted to express our support of the Council due to the difficult issues that you currently have with HAL and the Hellertown Borough Council. Members of the community are behind you although many do not want to get actively involved.

The library issue has morphed from a donation discussion to LS being threatened by entitled bullies. I've spoken with family and friends who are disgusted with the way Hellertown has handled the disagreement. I understand that LS Council may have been unaware of the intricacies of library politics in regard to county lines, etc. for Southern Lehigh Library. However, LS did previously use Bethlehem so, I would think, that remains an option.

The newspaper articles we've read aren't being fair in their representation. Many LS residents are uncomfortable with loud angry confrontations and arguments which seems to be the way HAL and its minions operate. It appears too many people that HAL expects the monies donated by LS to be for their use without any oversight or input by LS. Voting LS representatives off the HAL Board is not conducive to an open ongoing dialog, but rather the behavior of children who are upset and feel they've been insulted. It seems HAL believes they can embarrass and browbeat LS to their will. We all know libraries offer more than just materials. While other local libraries offer services for all ages from book clubs to crafts to language classes, film festivals, virtual events, and more. HAL's programming seems to mainly cater to families with young children or tweens.

In January, prior to sending you my initial letter, I reviewed the HAL Web site in comparison to Southern Lehigh and Bethlehem. HAL presented basic information - library hours, monthly calendar, library catalog, resources, their history, etc. Today, I looked at it again. I was surprised that the Web site had been revised and expanded to include similar info offered on other library Web sites. They may be reacting to being considered a "small" library. In the Home section, they added a copy of the letter to library patrons dated 31 Jan 2022. In addition, they added a policy section, a book donation policy, behavior policy, etc. In the Catalog section, they added renew my materials, put an item on hold, and how to use the library catalog. In the Research section, they added a section on select websites. In the Services section, they added community links, college and test prep, borrow a telescope, and reader advisory. In the Support section there are donate and fundraising topics.

LS residents I've spoken with feel that the Hellertown Borough Council is also attempting to intimidate LS with a review all joint partnerships. By not attending the recent SVP meeting, they once again present themselves as bullies or, as one person stated - abusive thugs. The library decision should not have any reflection on other projects. Its business, making decisions of what's beneficial to LS residents. We totally disagree with people who stated LS Council has lost people's trust; you are looking out for all residents best interests.

I noticed that the Library was not listed as a topic at the upcoming Council Meeting on 2/16. I assume that is because of the desire to continue discussions with the PA Library Commission and to communicate with HAL. Good Luck!”

Someone asked who wrote that. Mrs. Yerger said it was a citizen. Ms. deLeon said can she ask Jason a question. Mr. Banonis said sure, but he may not answer it for you. Ms. deLeon said tomorrow you are meeting with the landfill, can you ask them what their schedule is for capping, and you brought up about the letter with the DEP. Mr. Banonis said he's not meeting with them tomorrow. He said that in his report. Ms. deLeon said so nobody will be at the Landfill Committee tomorrow. Mr. Banonis said there's no meeting tomorrow.

C. SOLICITOR

- He said we had a meeting with SLPL and thought that meeting went very well. We had a meeting with the HAL and that meeting went as well as could be expected. We are not on the same page yet, but he's hopeful we will have continuing discussions. We had a meeting with the Office of Commonwealth Libraries, and they are very nice people, very concerned about libraries, they are fully supportive of cooperation between libraries, and he thinks he will continue to work towards that goal of getting cooperation between HAL and SLPL and hopefully building a better library system so we're not having these discussions ever again. The idea is to make library services better for everybody. He thinks the State will support that and he's hopeful SLPL and HAL will do that too. We can have more municipalities involved. There's some great examples across the State of library systems that are supported by five, six or seven municipalities and they have funding formulas that aren't just based on per capita, x amount of dollars per capita, they are based on usage, they are based on ability to pay, they are based on to a certain extent, per capita, but they all vary in percentages and there are formulas so that all those factors are taken into account. He thinks the future of library services going forward is not single building libraries. Libraries are not being used unfortunately like they were when he was younger or anybody else probably in this room was younger. There's a different world out there and he's seen it in his own house, he's seen it with his kids. They do it online, they buy books from Amazon, and they come the next day. There's a changing landscape for library services and it's up to the Township to look forward and try to make the best decisions for that changing landscapes. He's still waiting for information from HAL and he's sure they will give it to him at some time. They left both meetings with HAL and with SLPL with the idea they would meet again and have more discussions and that's where we are. The sky is not falling. HAL is still our home library. It's February 16th and there's a whole year ahead of us and we have time to work this out. So he's going to continue to work in that direction and see if we can get it resolved. Ms. deLeon said whenever in the past when we had a threat of litigation, we usually met in Executive Session and went over the parameters, went over pros and cons and the outcomes and we came out and you went and represented us. We didn't do that this time under this threat of litigation. She doesn't even know if she supports what you are going to these meetings about. Attorney Treadwell said he doesn't think you did as you voted no. So you didn't support him going to these meetings. Ms. deLeon said she did not and it doesn't mean she doesn't have the right to ask what happened and whatever. Attorney Treadwell said the question about the Executive Session is every previous ES we had since he's been here that revolved around the threat of litigation was a threat against the Township. That was the type of litigation we had an ES about. We are allowed to have ES under the Sunshine Act for specific, identified litigation or threat of litigation. When we come out of the meeting, the ES meeting, we are supposed to identify to the public the specific area of litigation or threatened litigation we discussed. In this case, there was no threat of litigation nor was there any current litigation. He quite frankly didn't know the motion was going to be made. The motion was made to authorize him to commence litigation if and only if one thing happened and that one thing was if the HAL attempted to lock out LST residents. Mr. Carocci said he made that motion and he made it on January 19th as we weren't going to meet until tonight and at that time the HAL was threatening to cut off service to LST residents as of February 1st, so we would not have had a meeting. Attorney Treadwell said so the authorization to commence litigation was an only if, so the litigation doesn't start unless HAL takes that step and locks out LST residents. If that happens, you see stuff in the newspaper we're suing the library. It wouldn't be asking a court to award us money from the library. The issue would be going to court with basically what's a declaratory judgment action and asking the Judge to decide that the library is not allowed to do that based on the facts and circumstances of the case. Mr. Banonis said to correct Tom, he made that motion and it was the same reason as there was no Council meeting scheduled between January 19th and the threatened termination date. It was not to sue them it was only to commence actions if necessary against their actions. Mr. Carocci said it was to protect LST residents that were used in a formula that HAL submitted to the State for a grant and that grant amount was based on LST

residents. Then saying they were going to cut us off. They applied for that grant and they accepted that grant for 2022. They've done nothing but threaten us three times to cut us off.

D. ENGINEER – No report

VIII. PUBLIC COMMENT - NON-AGENDA ITEMS – RESIDENTS/TAXPAYERS ONLY – 3-MINUTE TIME LIMIT

- Mr. Dave Spirk said we live in the greatest country in the history of the world. We could do whatever we want, say whatever we want, he applauds all his fellow citizens. They are doing what they believe is their passion as Jen said. By the way, I commend everyone who works for our community and our government, the Honorable Mayor Heintzelman is sitting here, he does a fantastic job. He does what he believes is right and all those people at the Hellertown Borough. These fine people here from LST Council they do what they believe is right. They've been elected to do what they believe is right. What I find appalling and quite frankly is discourteous is something we learned first, second grade. Sit, listen, don't catcall, and don't yell out. We're American's. We are here to do the absolute best thing for our community. I find it disrespectful and I got to tell you, I've been a developer since 1987. I've been to tremendous numbers, hundreds of Council, Zoning, and Planning Commission meetings. I've never seen this anywhere and I believe you are doing the absolute right thing. You are doing what you think is right. I think that's tremendous. That's why we're here in America and why it's such a great place. But to catcall, to yell things out, it doesn't, that's saddens me. They are doing what they believe is right. I support what they are doing. They have a fiduciary responsibility to me and the rest of the taxpayers of LST. My hope is, we like the HAL, we also like the Bethlehem Library, we also like the SLPL, my family I'm talking about. My hope is that something gets worked out. Something gets worked out with the community. We are one community, this is why we live here. It's the greatest community we could choose to live in. So vitriol at this meeting while these good people are speaking or anyone else, the vitriol in the comment sections of social media, saddens me and I'm asking my fellow citizens, the best people I know, please act like mature adults, get what you want in the right way. Thank you.
- Someone came up to the microphone and said at the last board meeting...Mr. Banonis said do you want to identify yourself. She said if I gave you this would you read it and I wouldn't have to say my name. Mr. Banonis said it wasn't given to me to read into the meeting, I'm reading something that was provided to me. Diane Hollowell, Lower Saucon, said it was stated at the last board meeting and I quote, you in LST receive the best library services available. Since you have no problem with my tax money going to another county because you believe SLPL has more opportunities, then could you possibly make a motion to contribute \$50,000 to the Allentown Public Library. That library is probably four times as big as SLPL and has so much more to offer plus I work in Allentown and you had mentioned the driving distance, well it would be more convenient as a taxpayer to patronize that library. You do realize how absurd that sounds. Council stated that they just want to be a library donor and when you evaluate a donor's partnership on how to move forward you listed five points you used to evaluate, communication, transparency, collaboration, persistence, and trust. So I do have a question, can you please share the communication you have with SLPL, I don't know why you would, but you just did tell us who. Are you actually being transparent with us? You did tell us who you collaborated with. What is your history of trust with SLPL? Is there something you are not sharing with the taxpayers? And the last one is persistence, which is defined as a firm or abstinence, continuous in a course of action in spite of difficulty and opposition. I laughed at that one because I believe that everyone who is here in the audience and calling you and writing to you are doing that, so could you tell us your definition of persistence when it comes to the SLPL. I have to tell you I was very disheartened that you spend too much time on this. What will happen when the landfill issues come up? I do know three others willing to take your position on Council if you think community concerns are too much for you and you use the word uncomfortable. The public raises concerns when things seem uncomfortable. I'm sure more than 30% of this audience feels uncomfortable when their tax dollars go to another county. And I have talked to more than 30% of people who voted for this board and they are very regretting their decision. I hope this November, people you do a little more research and vote for residents who truly care about our Township. Lastly, correct me if I'm wrong, but there was a complaint about the per capita tax going to \$1.29. I do not know your financial situations but if you meet me in the hall after the meeting, I have a \$1.29 I can give you. Thank you.

**General Business & Developer Meeting
February 16, 2022**

- Renee Hillman, and I want to...Mr. Banonis said can you identify where you live. Ms. Hillman said 2276 Wassergass Road. My last name is Hillman. I'm reading page 21 of 26 it was misspelled, so please correct that. The letter that you just recently read from an unknown person, I suspect that you have all received a lot of letters and a lot of emails, you read one email last time into the record with an unnamed person. If you are going to read it into the record, and you want my name and address, then you should share the name and address of that person. I am also asking that it goes into a future record, all of the emails that you all received - emails and letters from the constituents. We are your constituents and in the matter of transparency to provide that information to everybody because I think statistically you are going to have a lot more support to get this library issue resolved appropriately than not. Thank you.
- George Gress, 3703 Old Philadelphia Pike, said Dave with all due respect I've know you for several years. I understand where you are coming from with the catcalls and stuff. When we have two members on Council specifically one being the Council President who publicly can make fun of and are just poking fun at other Council members, that's a little uncalled for as well. And no offence, but I understand why you got up and spoke because either directly or through in-kind donations you or your family members have donated about \$8,000 to them based on their financial reports. So I understand why you are supporting them, and I get that, but like Jason read two letters into the record, that's great, look at that, how much did you get, 60, 80, 100 in favor of the library. You don't say a peep about those. You are working your own agenda, I get that. But you need to consider everybody else in this Township too. Mr. Banonis said George, would you like me to respond to you? Mr. Gress left the podium and said you don't have to it's probably going to be derogatory. Mr. Banonis said no, it's not going to be derogatory, he can read another email to you. Ms. deLeon said can I read one then too? Mr. Banonis said I'll be more than happy to share it with you if you want. Ms. deLeon said I can read one.
- Keith Meier, 3740 Lower Saucon Road, said first of all I want to thank you guys for your service. This is a thankless job and what you do here is appreciated, looking out for the taxpayer. I for one as a taxpayer, this is exactly what I want, somebody to look out for us as a taxpayer, and examine every type of service. I'm not sure exactly why the library is considered a sacred cow, it should be looked at along with every other service. To me, it's unclear that a library unlike police service or fire service or snow plowing and everything else is a true public bid, but even if you did think it was, is it essential. What I think we heard from Jen and others tonight, even if you do believe it is, the particulars of this are a little disturbing. We heard a good faith case of our Township trying to work out a good faith relationship here and still trying to do that, so I would ask that we just be a little bit patient as we work through this. That's all I have to say. Thank you.
- Bob McKellin, 2166 Kistler Avenue, said this is my Bethlehem Library card which I've had for decades. When LST dropped the Bethlehem Library to support the HAL, I was at first disappointed like Priscilla until I learned so many years ago that now I could use both Bethlehem and HAL. Then about 7 years ago, 6 years ago, my third granddaughter was born in Quakertown and because I had this card, I was able to have this card. The reason for all of this background was on January 19th LST meeting, Mr. Banonis chose one email to read which disparaged HAL. Sadly, I know I sent three emails in favor of HAL, and know many others did as well. Why didn't Mr. Banonis tell the Billig's at that time who felt so strongly against HAL that they too could obtain a Bethlehem or SLPL cards. Why are the LST board so opposed to HAL? This nice gem of a library has become a community library of Saucon Valley and to send a \$50,000 donation to SLPL which we know now it has been rejected when just a year and a half ago, SLPL itself was worried about cutting services, reducing staff, cutting hours, purchasing less print and electronic items, because of the potential loss of \$25,660 due to Lower Milford Township reconsidering its support of SLPL. This was from a letter from the SLPL Board of Directors to the Southern Lehigh community residents dated September 25, 2020, yet we send \$50,000 with no strings attached to them. Look at what you are doing to HAL and look what you are doing to the whole Saucon Valley community. I ask you to please fully fund our community library. Thank you.
- Jessica King, 2456 Alpine Drive, said I will show you a book of the public library, something that's available at our local library. I recognize Mr. Treadwell what you are representing is that times have changed and that's a very accurate statement, but it's a very single minded view in a world where the 1% maybe can order every book on Amazon, and they can go get their internet easily and we want our 5G and we want to be able to do things faster and at home and from the convenience like a Zoom call so we can attend our Township meetings. But the thing we are missing is that not everyone has that available

**General Business & Developer Meeting
February 16, 2022**

and we don't want to also be alone in our home, COVID taught us that much. So we want to make sure we have access to community and not everyone can afford that internet or to buy those books, so I'm just concerned that the viewpoint coming from our Council is from a place of money, and not having the experience that many folks didn't have that during COVID, that is the libraries were closed, they lost access to those things. I have successfully communicated with members at the State level from the OCL, the Attorney General's office, the Bureau of Library Development, and SLPL. At the Township meeting on January 19th Council member Zavacky stated that there was difficulty getting answers and yet she had a 24-hour turnaround from all of this listed communication. On February 7th I shared my OCL and Bureau contact with Mrs. Zavacky in order to assist with her ongoing positive interaction with the Friends of the HAL in her role as liaison to HAL. She replied to which I appreciate, however rather than scheduling a separate OCL meeting herself, she tried to include herself in a meeting already set in place with the HAL leadership. This library has been put in a difficult position by LST to be on the defensive and I implore you to please remote your motion to sue the library or to seek litigation. As a Solicitor, I questioned why Lincoln Treadwell is the one seeking to have conversations with the SLPL, we did not vote you into office. We voted for the folks sitting around you, but I feel you are making decisions that aren't yours to be making. The library decision is to be made by the folks that we voted into office and it sounds like you are having conversations on their behalf, can I please ask that you please step back in your lane. Mrs. Zavacky said she was on all those calls. Mr. Carocci said Linc was authorized by a motion either in December or January to find out information. He was authorized by the elected Council, so that's inaccurate and Mr. McKellin's previous statement is inaccurate that SLPL rejected our \$50,000, it clearly stated it's on hold. The Morning Call misreported that yesterday but he apologized for doing that earlier, didn't you? Someone from the MC said something (was not at the podium). Mr. Carocci said you said it was rejected yesterday. Mr. Banonis said let's stay with the public. Mr. Carocci said we'll talk.

- Mr. Gordon Gress, 2371 Black River Road, said I'm George Gress grandfather. I'm 85 years old, I've lived in this Township 64 years, and it's probably longer than most of you are old. I've seen this go from a one-man police force to where we are today. Today fantastic. He used his own car then, today we have a good force. Some of our past policeman, eh. Some of the ones now, fantastic. Road crew, when you couldn't go around the block without breaking down, fantastic, we got up to date equipment, fantastic. But where are we going now. We managed to tick off Hellertown, school board I'm sure is not happy as they got mentioned, Heintzelman wow, how he doesn't bite his tongue, Okay. Now we are losing one of the best manager's we ever had, I don't know why. I just wonder where we are going since our last election, I'm not sure we are going ahead anymore. To me it looks like we are going backwards. That's all I got to say.
- Laura Ray, 3357 Lower Saucon Road, said my topic is your ability to set agenda items for meetings. The rules that you changed for this year very purposely so that you could present certain things from being put on the agenda. By not having library on the tonight's agenda, it was very inconsiderate to make everybody wait until the very end of the meeting. You knew a lot of people would be here that wanted to hear about that topic. Almost every single one of you had something to say on your Council reports, now why wouldn't that qualify as an agenda item? There's no prerequisite that it has to have an actionable item as a result, that's not a prerequisite to be on the agenda. It just shows arrogant behavior towards the people you are supposed to be serving. Also when the agenda is prepared, it's supposed to be detailed and last month's agenda item as you went over and over, discussion of library services, the item was very purposely vague and deceptive as to what you had already planned to do. You trample on the Sunshine Laws all the time. The true intent of that is to be transparent to the public and you're anything but that. It's hard to talk to you people. The fact that you come to meetings clearly with pre-determined motions that you discussed and decided how you are going to vote. It's the information you are basing your decisions on is not in your Council packet and not shared with all Council members, that's very wrong. That's all I'll say.
- Sue Lucriezi, 1984 West Point Drive, said I want to thank so many of you who spoke before me. You said it all so well that I really don't know what else I can add except as talking about the respect that you expect to hear at these meetings and the decorum, I expect it too and mostly I expect that from my Council members. Council members who sneer, Council members who smirk, Council members who don't show respect for your colleagues and for us, for the citizens, so please show a little, show a lot of respect. I

**General Business & Developer Meeting
February 16, 2022**

expect complete respect and I hope we get that Zoom camera here soon. Ms. deLeon said it's going to be months. Ms. Luciezi said I know it is and so when this new Council Manager is hired, I hope technology is at the top of your requirements because you can't go forward until we get one, so I don't know who...make sure you put that on the requirements please. When that posting goes out, I'm going to be looking at it because that's obviously a very important consideration that we can't film anybody, we can't record anybody legally, officially until we get that approved. I know one thing, I'm glad this library issue came to light because it's opened my eyes to my Council. Thank you for those who show respect. Ms. deLeon said we're allowed under the Sunshine Law to video and to take pictures at a Council meeting, that's legal to do that. Ms. Luciezi said anybody can do that? Ms. deLeon said yes. Ms. Luciezi said okay, thank you.

- Victoria Ophof-Cordaro, 1682 Woodfield Drive, said I bring my HAL sign here because I think it's really impactful that the sign includes the wording fully fund our HAL because what I've heard this evening is a lot of high fiving between Council members about the fact that you've bullied our HAL into providing LST residents library services with only the State allocated funding without giving any of the \$100 and somewhat thousand dollars that you had put in your budget. I've heard a lot of discussion about how they took the State funding therefore they knew what they were doing and they applied for that State funding in the Fall under good faith that we were acting in good faith and all of the information I heard is that we didn't act in good faith, so I'm hopeful that we do continue negotiations and that you provide updates hopefully under an agenda item but if it has to be at the end of the evening at 10 p.m. at night, then I guess we'll wait around for that too, but we're not going to go away until you fund our library the way that it's supposed to be funded. Another thing I did want to address, I noticed serendipity or I'm not exactly why but in the minutes from the January 19th Council meeting, the comments from the audience directing a Sunshine violation are absent. Those comments were made by me. So I am not sure why under both motions, one is for litigation and the other one to give a \$50,000 donation to the SLPL why in fact we just hear the motion and then we hear about the roll call. There is nothing in those minutes that identify the Sunshine Act violation claim. That is very important whether or not you knew who the person was claiming or not, that's one thing, but not to have an indication there was a Sunshine Act claim, is disgusting and I'm hoping that when you hire the person that you said you are hiring to do the transcription services that that's taken care of and I want to make sure that's on the record. The final thing I wanted to say I thought it was disgusting that the three of you sat up here and said that you didn't accept money from the landfill and if you didn't accept money on your campaign finance reports; however, you didn't retract or tell the landfill not to dump \$75,000 to support your campaign. They supported no other candidates. They did nothing else except to support the three of you. So again, as your litigation indicates and as you've been told, by Judge Murray, support means not only financial donations to your pact, but also means campaigning and sending mailers and phone calls and text messages to get you elected, so I wanted to make that clear for all of the residents. Thank you.
- Jo Ellen Thomson, 1819 Viola Lane, said I have many concerns regarding library services and conflicting information that abounds. One, I look back at the 2022 budget that you approved on November 21st. On page 16 it was the 5-year projection report for the library contribution to be \$150,000 plus for 2022 through 2026. On page 28 included is the amount requested by the HAL which totals \$107,000 plus; therefore as of November 21st you had not only voted to fully fund HAL for 2022, but to project it to continue to that funding through 2026. You can understand my confusion as to what happened behind the scenes to cause you to change your mind on this funding only one month later. At the January 19th meeting it was stated that there had been several attempts to set up communications with the HB and HAL but there was no follow through; however, HB special meeting on January 26th Mayor Heintzleman listed specific dates of phone calls and emails with attempts to meet and I'm glad to hear that you responded tonight, Jen, with what the Township did. It had been stated that you recently requested information on how HAL spends its money and have not received answers; however, I have a copy of an email from NK, HAL Director to Diane Palik at LST dated August 25th and another one dated August 23, 2021 attaching the HAL 2020 audit annual community report and the 990. You mentioned the importance of transparency, yet during the January 19th meeting when the vote regarding partial funding for HAL was complete, the majority of those in attendance began leaving. You did inform everyone that the meeting was not over, but if you truly wanted to be transparent, you could have stated there were still additional library issues to be discussed and voted on, including possible litigation and a \$50,000

**General Business & Developer Meeting
February 16, 2022**

donation to SLPL but you did not choose to do this. You can see how many mixed messages you were sending. When I listen again to the recording, the recorded minutes of the January 19th meeting, the consistent thing I heard was your desire to secure more access to more library services in order to meet the needs of more of our residents and this would involve the SLPL. Since SLPL had made it public they are not interested in this at this time, you are now are left with a difficult situation. The challenge I see you face are how do you move forward from here. This will not be easy. I request that you carefully define what are your exact goals. If it is to obtain the best library services to the needs of the entire community, I am in total agreement but I disagree with how you are...Mr. Banonis said I'm going to have to interrupt you, the 3 minutes is up and there may be other people who want to speak tonight so I appreciate your comments. Mr. Carocci said I also want to say you are misinformed, SLPL is on hold and they want to continue to negotiate, to talk. So you're wrong. You were misinformed. Mr. Banonis said thank you ma'am. Is there anyone else who wants to speak tonight? That concludes our public comment period.

IX. ADJOURNMENT

MOTION BY: Mr. Carocci moved for adjournment. The time was 10:14 p.m.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

Submitted by:

Peter Marshall
Township Manager

Jason Banonis
Council President