



Wednesday, February 21, 2024
Lower Saucon Township Council Agenda

6:30 PM
Lower Saucon Township
General Business and Developer
3700 Old Philadelphia Pike
Bethlehem, PA 18015

1. OPENING

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

2. PRESENTATIONS/HEARINGS - NONE

3. DEVELOPER ITEMS

- A. Zoning Hearing Board Application Review - 412 Commercial Center - 1865 & 1883 Leithsville Rd & 1980 Springtown Hill Rd - (Var. 09-23)

4. TOWNSHIP BUSINESS ITEMS

- A. Discussion on Vistas at Longridge Development (Longridge Dr. and Royal Valley Lane)
- B. Authorize Payment #3 to CH&N Construction for the Easton Road Ballfield Project
- C. Approval of the Saucon Valley Community Center Senior Agreement for 2024
- D. Approval of Special Event Application - Saucon Valley Youth Lacrosse Day
- E. Discussion and Possible Action on Township Budget Enacted in Violation of PA Law/Second Class Township Code
- F. Authorization to Prepare Request for Proposal for a Township Solicitor
- G. Discuss Educational Opportunities for Volunteer Board Members

5. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of January 17, 2024 Council Minutes
- B. Approval of January 24, 2024 Council Minutes
- C. Approval of January 2024 Financial Reports

6. COUNCIL & STAFF REPORTS

- A. Township Manager, Mark Hudson
- B. Council/Jr. Council Members
- C. Solicitor
- D. Engineer

7. PUBLIC COMMENT - NON-AGENDA ITEMS - 5-MINUTE TIME LIMIT

8. ADJOURNMENT

- A. Move to Adjourn

9. UPCOMING MEETINGS

- A. Planning Commission: February 22, 2024
- B. Zoning Hearing Board: February 26, 2024
- C. Parks and Recreation Board: March 4, 2024
- D. Council Meeting: March 6, 2024
- E. Environmental Advisory Council: March 12, 2024
- F. Saucon Rail Trail Oversight Commission: March 25, 2024 (Hellertown Borough)
- G. Landfill Committee Meeting: April 11, 2024

1. **OPENING**

A. **CALL TO ORDER**

The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, February 21, 2024 at 6:37 p.m. with Ms. Priscilla deLeon presiding. She apologizes for the delay.

B. **ROLL CALL:** Priscilla deLeon, President; Laura Ray, Vice-President; Victoria Opthof-Cordaro, Jason Banonis, Thomas Carocci, Council Members; Mark Hudson, Township Manager; Steve Goudsouzian, Solicitor; Brien Kocher, Engineer; Cathy Gorman, Assistant Manager & Director of Finance.

C. **PLEDGE OF ALLEGIANCE**

D. **ANNOUNCEMENT OF EXECUTIVE SESSION (IF APPLICABLE)**

Ms. deLeon said Council did meet in Executive Session prior to the meeting and she will go over each item by itself. First, they have the Conflict of Interest for the solicitor and she'd like to make a motion.

MOTION BY: Ms. deLeon moved to resolve any issue with regard to any potential Conflict of Interest with regard to the solicitor and the Borough of Hellertown Borough Council on its behalf and on behalf of the Township. Council hereby waives any Conflict of Interest relating to Steven N. Goudsouzian and/or Goudsouzian and Associates in representing LST with regard to any litigation or other interaction with the Borough of Hellertown or any other related entity including, but not limited to, the Hellertown Area Library.

SECOND BY: Ms. Opthof-Cordaro

Mr. Banonis said may he be recognized. Ms. deLeon said not at this moment. So, it's been seconded by, motion by Priscilla, seconded by Victoria and now she will open it up to Council discussion. Jason.

Mr. Banonis said thank you. He said the public should know that there are multiple violations of the Sunshine Law that took place in Executive Session. Among them, is this matter that is before the public right now. This item does not deal with litigation. This item also does not deal with personnel matters. This deals with waiving a conflict to allow Steve Goudsouzian to represent LST while he would also be representing Hellertown Borough. As the public may know, LST and Hellertown are at odds in current litigation, in fact, he thinks there's multiple litigation that touches upon Hellertown. To that point, Mr. Goudsouzian wouldn't even give him a straight answer as to whether or not he spoke with representatives of Hellertown with regard to the proposal that he prepared and submitted to this Council requesting that this Council provide him with a waiver of the Conflict of Interest. Under the Rules of Professional Conduct that apply to all attorneys, specifically rule 1.7, he believes that Mr. Goudsouzian cannot represent this Township as well as Hellertown Borough. He brought this up previously when the majority of this Council, Priscilla deLeon, Victoria Opthof-Cordaro and Laura Ray brought up Mr. Goudsouzian as a replacement to the replaced solicitor. The Rule of Professional Conduct 1.7 Conflict of Interest: Current Clients, except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if: there is a significant risk that the representation of one or more clients would be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer. He believes that prevents Mr. Goudsouzian from representing the Township in any matter related to Hellertown and to that point, to the extent that there would be any settlement negotiations that would take place between LST and Hellertown. Mr. Goudsouzian would be at odds with both clients in that matter, and that raises the question as to how he could represent diligently LST's interest in that matter. He regrets that this Council decided to hold those discussions in an Executive Session outside the public eye. Again, it's a violation of the Sunshine Law. It's amazing to him that the majority of this Council conducts itself this way. They were...they ran on a policy, here is their mailer. "Saucon Valley Together, Working Together for our Community. Ready to bring Saucon Valley Communities back together through respect, cooperation and transparency". The transparency you had was behind that closed door, and if he didn't bring this to your attention now, nobody would know about it. So that's what he has to say on this. He brought this up when they were hiring Mr. Goudsouzian, this Conflict of Interest, and the risk that he has that he could be reported to the Disciplinary Board for this. He has not undertaken any of those steps. Somebody in the public may, and this Council is unfortunately putting Mr. Goudsouzian in a very untenable position, excuse him, unenviable position. It's very tenuous and

it's shocking, it's just shocking to him. So, he hopes the public pays attention and sees what's going on and that's all he has.

Ms. deLeon said Tom. Mr. Carocci said he agrees. He doesn't know what Mr. Goudsouzian is thinking even suggesting this. He shouldn't represent both municipalities when they are so close geographically and have these relationships. We need our own independent solicitor. Again, this is the second solicitor they had this year and there are some mistakes that the first one made that they rectified at the next meeting, he assumes. This is just another mistake. Paying \$180.00 of taxpayer money, he's taking it from his neighbors. He's a LST resident. \$180.00 an hour for, to operate with blatant conflicts, poor legal advice, it's disgraceful that even he doesn't see that he's taking money out of his neighbor's pockets for these shenanigans and ridiculousness of this conflict, and he is a no on this waiver. He should pick. He should either be Hellertown or LST.

Ms. deLeon said she'd just like to say for the record that Council did meet, like she said in an Executive Session at 6:00 p.m. and it was attended by all five Council members and at any time, at no time, did Mr. Banonis or Mr. Carocci decide to leave the illegal Executive Session. Mr. Banonis said yes he did, he walked out of it. You saw him walk out of it, so don't misconstrue the public that was here saw him walk out of here, so don't say he didn't walk out.

Mr. Carocci said why would they leave when they want to see what is happening and to report to the public. It's just what they have done. They came out here and done that. Why would they put their heads in the sand when there's a violation of the Sunshine Act going on? The responsible thing is like you said, you come out and talk about it publicly.

Ms. deLeon said okay, Victoria, she's next. Ms. Opthof-Cordaro said thank you. She doesn't agree with the characterizations made by Mr. Banonis and Mr. Carocci. She's 100% comfortable with this particular motion made by Ms. deLeon. She is comfortable with the fact that Mr. Goudsouzian represents the Zoning Hearing Board of Hellertown, not the Borough of Hellertown and she's inclined to vote yes.

Ms. deLeon said okay, Laura. Ms. Ray said yes, she doesn't think she'll make any comment, thank you.

Mr. Banonis said may he be recognized again? Ms. deLeon said no. Mr. Banonis said he's going to ask...Mr. Carocci said he's an elected official, don't let the Gavel Nazi talk you down. Ms. deLeon said you are out of order. Mr. Carocci said don't let the Gavel Nazi talk you down. Ms. deLeon said you are out of order, please call the roll. Mr. Banonis said Mr. Goudsouzian can answer who signs the checks that he gets from Hellertown Borough and are they from a Hellertown Borough account. Ms. deLeon said please call the roll. Mark, please call the roll. Mr. Carocci said the Gavel Nazi...Mr. Hudson said Ms. deLeon, how do you vote. Ms. deLeon said yes Mr. Carocci said the Gavel Nazi...Mr. Hudson said Mr. Banonis how do you vote. Mr. Banonis said no. Mr. Carocci said he'd like to ask Mr. Goudsouzian who signs those checks. Mr. Goudsouzian, can he answer that? Ms. deLeon said there is a roll call on the floor, it takes precedence over discussion. Please continue the roll call. Mr. Hudson said Ms. Opthof-Cordaro how do you vote. (Mr. Carocci was speaking even though he wasn't recognized by Ms. deLeon) Ms. Opthof-Cordaro said yes. Mr. Carocci said he can still answer a question. Ms. deLeon said you are out of order. He is doing a roll call that is not debatable. It is a roll call. Mr. Carocci said can he answer that question. Mr. Banonis said Tom, it's just more cover up, just more cover up. Ms. deLeon said they are doing a roll call. Mr. Goudsouzian said let's do the roll call please. Mr. Hudson said Mr. Carocci said how does he vote? Mr. Carocci said he wants an answer to his question. Ms. deLeon said he already had an opportunity for Council discussion, they are onto roll call. Mr. Carocci said there's no limit to Council discussion in the rules. Mr. Banonis said where is that, where does it say that. Mr. Carocci said where does it say that in the rules that there's a limited, and a Council member can only speak once. Where does it say that in the rules? Mr. Banonis said certainly not in an ordinance. Mr. Carocci said it doesn't say that at all. Ms. deLeon said Mr. Hudson are you finished with the roll call, Mark. Mr. Carocci said and he demands the right to speak. He was elected by the Township...Ms. deLeon said where were they in the roll call. Mr. Carocci said Gavel

Nazi, he'd like Mr. Goudsouzian to answer his question and then he'll vote, who signs the checks. Mr. Goudsouzian said he's not answering. Mr. Carocci said you aren't going to answer. Well, then, it's ridiculous. Mr. Goudsouzian said can we assume his vote is a no. Mr. Carocci said what did he say back there Jason, he'll look into it. What did he say when they asked him about a...Mr. Banonis said he said he couldn't give him a straight answer as to whether or not he had talked to Hellertown...Ms. deLeon said okay, they are discussing this and it's totally out of order. Mr. Carocci said he can't give you a straight answer. Mr. Banonis said \$180.00 an hour for that. Ms. deLeon said roll call please. Mr. Banonis said \$180.00 an hour for a legal opinion. Mr. Hudson said...Mr. Carocci said he can't give a straight answer as Mr. Goudsouzian is too afraid to answer a simple question. Ms. deLeon said okay, it's either a yes or no answer. It's very clear. Mr. Carocci said who signs his check in Hellertown. Ms. deLeon said Laura. Ms. Ray said yes.

ROLL CALL: 3-2 (Mr. Banonis & Mr. Carocci – No)

Ms. Opthof-Cordaro said she'd like to make a motion. Ms. deLeon said go ahead.

MOTION BY: Ms. Opthof-Cordaro moved to authorize the solicitor to pursue potential settlement with regard to the Hellertown Area Library (HAL) and related entities with the end goal of terminating the outstanding litigation between LST and HAL and related entities. The solicitor is further authorized to direct Eckert Seaman's to not take any further action with regard to litigation and advise the Court that the parties are engaged in potential settlement discussions and ask that all pending matters be held in en banc.

SECOND BY: Ms. deLeon

Ms. deLeon said Council discussion, Jason. Mr. Banonis said yes, thank you. They meet in Executive Session to discuss litigation but yet you bring it out here into the public where they are talking about it making a motion here and to pursue a settlement. They aren't talking about an Executive Session, so they blew the lid off of that and they blew any confidentiality off of those discussions. He will add this, for the public who wasn't back there with them, yet another violation of the Sunshine Act, they now want to re-categorize, this is laughable, they now want to re-categorize their illegal payment that they gave to the HAL...Ms. deLeon said that's out of topic. That's not...Mr. Banonis said that's not out of topic, stop interrupting him. Ms. deLeon said it's not on topic. Mr. Banonis said she is going to shut him up because he's exposing their Sunshine Act violation. You are trying to shut him up. He's going to keep talking. Mr. Carocci said don't be a Gavel Nazi. Mr. Banonis said so now they want to re-categorize that payment under the guise of multiple invoices for which there was no contract or ever any agreement or meeting of the minds to pay, that \$92,000.00 payment...Ms. deLeon said \$98. Mr. Banonis said oh \$98, even better, \$98, even better, more money. \$98,000 payment they now want to re-categorize that as a gift. Before it was for past due payments, now it's going to be a gift, even though that was never discussed with the public before, they want to change that. In addition to that, in addition to that, hello...Ms. deLeon said please. Mr. Banonis said hello, is he speaking. You aren't recognized, you are not recognized, he's sorry. Priscilla, can she control the crowd. Mr. Carocci said you run a meeting...Mr. Banonis said Priscilla can you please run a meeting and control the crowd; they need to go into recess. Ms. deLeon said continue Jason. Mr. Banonis said he will, he will. So, you just heard how they approved this guy to be the guy negotiating for the Township, but they haven't told them what they want in the settlement. They are going to go to the other side and they are going to say, hey, we want to settle, what do you want and they are going to negotiate a settlement, presumably on the terms of the other side, and there it is the Conflict of Interest. It's right there. It's so blatant. It's beyond comprehension that they would actually make that motion under these circumstances and try to move forward. Let's talk about the HAL since we are talking about trying to make a settlement with them. So, let's revisit history. They asked them years ago...he said hello, can you control the crowd. Mr. Goudsouzian said he's going to ask the audience to not speak. Mr. Banonis said can you control the crowd. Can you control the crowd please, Priscilla. You run the meeting; he's not running it. He'd like the respect that...he wants the respect to be able to speak uninterrupted from having people in the crowd heckling him. They have a policy, they enacted this policy as to how people are supposed to conduct themselves here, so either enforce it or don't.

Mr. Goudsouzian said he's going to ask people in the audience to refrain from commenting. Whether or not they agree with what is being said by each individual members, it is their individual choice but it is inappropriate for them to make comments or noises or hisses or anything else, please don't do that.

Mr. Banonis said so yea, they got no contract. Years ago, they asked the library to give them usage data, financial information. They wouldn't give it to us. They said they couldn't give it to us. Why? He doesn't know. Then they would not give us board representation that was proportionate to LST's residents for the amount of money that it was paying for the library. Then they secretly filed an application to the OCL to remove LST's residents from its service area and they didn't even have the decency to give LST notice of that even after LST had given them almost a \$1 million over a number of years. They rejected a \$50,000.00 payment that this Council had approved and physically delivered to them. Peter Marshall, the former Manager and Tom, he was there, they delivered that check to them, no strings attached. Plus, LST agreed to give them, LST's share of the OCL money. Plus, they rejected a \$250,000.00 offer that they made in the fall of 2023 and now they want to settle with them. They have emails from Hellertown Borough. The President Tom Rieger directing Ken Solt not to cooperate with LST. They have emails from Tom Rieger acknowledging that the library is essentially the same as the Borough, and the Borough is broke as a dope. The Borough is in the hole \$2 million and now you are going to help bail them out by giving money to a library who has acted this way towards LST and its residents. They refused to respond to RTK requests that were valid from different residents and individuals from the public. The Office of Open Records determined that HAL is a governmental entity subject to the RTK laws and must respond and what do they do? They still refuse to respond. They appeal it to the Court of Common Pleas in NC and the Court of Common Pleas, the President Judge, Judge Daly issues an order saying you must turn over this information and they thumb their nose at the Judge. It's beyond comprehension. They refuse to participate in all of this. They were found to be in contempt. Their former Director left. There's a motion for sanctions that's pending against the HAL and then you know, you look at the whiz kids that are running Hellertown and the dumb asses on this Council want to prop up this malfeasance. You got the Hellertown Borough Police Chief charged with stealing over \$120,000.00. The prior chief resigned under cloudy circumstances. You got the mayor, the same Mayor now who was overseeing the department then and is missing \$120,000.00 of taxpayer money. There's an ongoing State Attorney General investigation of the improprieties going on in Hellertown. It's all over State and National news. They can't even staff their own public services. They can't staff their own police department. They have gaps in their services. Ms. deLeon said we are talking about HAL. Mr. Banonis said he's talking about Hellertown, alright. Ms. deLeon said okay. Mr. Banonis said you got the Dewey Fire Company embezzling, the Treasurer formally embezzled \$400,000.00 to fuel a gambling addiction. You got a Hellertown Borough Council member and Fire Company administrator reportedly submitting false bills to the fire company. You got former employees stealing hundreds of dollars on Christmas Day from the fireman's social. Their budget is upside down \$2 million. It is utterly unconscionable that someone on this Council would advocate rewarding this mismanagement, this malfeasance and this corruption. It's stupidity. This is stupid. This is the stupidest thing he's ever heard. He's heard a lot of stupid things from some people on this Council. This is by far the stupidest thing he has ever heard.

Mr. Carocci said he'd like to speak. Ms. deLeon said are you finished Jason now because she'll move on to Tom. Mr. Carocci said are you finished Jason? Mr. Banonis said he doesn't know. Mr. Carocci said take your time. Mr. Banonis said the other thing, throughout this process, this politicized process, where the library was used as a lever, we had approached them about creating a regional library system in conjunction with the Southern Lehigh Library, Coopersburg Borough, and Lower Milford and they wanted no part of this. They do not, they do not view library services for the greater good. Clearly, they don't. By not participating in that process, when they were talking about having guaranteed funding levels, having a regional library system that would have greater funding opportunities and resources, that Hellertown would not need to depend upon and they wouldn't participate in that process. We offered them a settlement on everything that is at issue with Hellertown and they wouldn't participate in it. Why? Because they'd rather play politics. They would rather play politics and they want LST's money. That's what it comes down to. Now, he's done. Ms. deLeon said Tom?

Mr. Carocci said they received an email from a Gina DeSantis and it says, "I would like you to consider just getting over the HAL thing, the HAL. They have a library and yes, they are 100% guilty of fraud in one way or another. I know this for a fact because they used to offer library discount rates and avoidance of sales tax to citizens that joined their Friends Group. There's nothing you are going to accomplish by irritating Mr. Solt, who is on the Board". She says "in her opinion, he's a bit of a thug". How this relates to this, all of this is, he thinks they were committing a fraud by avoiding the sales tax of selling the books. Our solicitor's wife was on the board of the HAL when this was going on. The Board apparently authorized this arrangement with the Friends Group, so he thinks this thing, this settlement proposal came from Mr. Goudsouzian to cover this up basically. He, we asked him, did anyone instruct him to write that settlement language that Victoria just read, and he said no, he took it on his own to do this. He is covering up this fraud basically. A fraud of avoiding the sales tax with this arrangement with the Friends. The fraud of not turning over legitimate emails or showing up to answer questions about why he didn't turn them over. That was the former library director that skipped town before she was deposed in this matter is his understanding. Mr. Goudsouzian and the Democrats on Council just want to white wash all of this, and he says he doesn't have a conflict and everything is above board. It is a cover up and the people that are complicit are Priscilla, Victoria, and Laura and most of all, you can't even call him a solicitor, we will just call him whoever he is, a minimum wage attorney at best, Steve Goudsouzian. Ms. deLeon said are you finished Tom? Mr. Carocci said yes for now but he reserves his right to speak again as the policy does not limit Township Council to one comment. There's nothing in the policy that states that. Ms. deLeon said okay, it's her turn.

Ms. deLeon said so she feels if you're in litigation with someone that the two parties, the two solicitors in this case would sit down and discuss how to come up with a settlement and we would entertain listening to whatever that discussion is and go from there. We have to start somewhere and she thinks this is a good start to get their relationships back. So, she's definitely for, in favor of this motion. With that, Victoria.

Ms. Opthof-Cordaro said thank you. She just wants to make clear for the audience because she knows her motion was quite long, so she's going to read it again. The motion is to direct the solicitor to pursue potential settlement with regard to the HAL and related entities, so that includes the OCL and the Borough to the extent that it involves the HAL, with the end goal of terminating the outstanding litigation between LST and HAL and related entities. Again, the OCL and Hellertown Borough to the extent it relates to the HAL. The solicitor is further authorized, and this goes to a lot of questions people had about the special counsel they had been using in the year 2023 to pursue the related litigation, against the OCL, so the solicitor is further authorized to direct Eckert Seamans, who is that special counsel, to not take any further action with regard to litigation and advise the Court, the Federal Court and the NC Courts that are involved, that the parties are engaged in potential settlement discussions and ask that all pending matters be held in en banc, so that means that any additional court proceedings that may have been scheduled from last year that would be coming up would be, they are asking the court to hold those in en banc. So, she just wants to reiterate that motion. She is proud to make this motion, and she thanks the solicitor for preparing this.

Ms. deLeon said Laura. Ms. Ray said she thinks a lot of the things that were said here were big mischaracterization of the whole situation of what has happened. She's sure a lot of you realize that. She is also favorable to ending these litigations that have gone on and on for years. We just got updated numbers. She knows we kept tallies going, so Eckert Seamans alone has like \$200,000.00 for going around in circles so far, so we need to end this, they want to re-establish our relationship. They do need library services. It has been known that there are no other libraries wanting to work with us. The regional thing is not an option in the way that it was presented, so those are her comments.

Mr. Banonis said may he be recognized again. Ms. deLeon said roll call please. Mr. Banonis said he wants to read an email that somebody from the public had sent to him regarding these matters, his name is Oscar Gray. Ms. deLeon said there's a roll call on the floor, it's not debatable. Roll call please. Mr. Banonis said "I believe Mr. Banonis is 100% correct about the Conflict of Interest particularly since we

have ongoing legal battles with Hellertown. It doesn't matter if it is a zoning board, it is Hellertown. Hellertown pays him. Hellertown influences him. That's the point. This is not good. This is corruption." This is an email he received from Oscar Gray at 6:59 p.m. Priscilla deLeon, Laura Ray, Tom Carocci, and Victoria Opthof-Cordaro also are included on that email. So that's part of the record, and Ms. Ray has not identified any of these supposed mischaracterizations and with regard to her comments that there are no other library options, he disagrees. There were ongoing discussion with Southern Lehigh Library and also, sorry, Sothern Lehigh Library in Upper Saucon Township and the Southern Lehigh School District about cooperating on a larger scale with the Southern Lehigh Library.

Mr. Carocci said he would like to say that...Ms. deLeon said roll call please. Mr. Carocci said he would like to say the \$200,000.00 is, was part of Eckert Seamans' charge was because the HAL wasn't cooperating and turning over emails. It wasn't sitting for depositions and showing up for depositions and for court hearings to delay things and these are the people, the Democrats up here want to reward and our solicitor wants to cover up, cover up for. This is not a settlement offer. This is a cover up offer. This is a cover up so they don't have to turn those emails over. So they don't have to explain their funding and so they don't have to get into why they were selling books tax-free to Friends of the Library.

Ms. deLeon said okay, can we have a roll call please. Mr. Hudson said Mr. Banonis how do you vote? Mr. Banonis said maybe the Attorney General will look into those issues as they are looking into the missing money from the Hellertown Borough...Ms. deLeon said Jason, there's a roll call on the floor. He just called his name. Mr. Banonis said what's the motion. Mr. Carocci said what's the motion. Mr. Hudson said for the settlement. Ms. deLeon said well do they want Victoria to read it three times now. Mr. Banonis said he doesn't know what the terms, he didn't hear...Ms. Opthof-Cordaro said she made a motion to authorize the solicitor to pursue potential settlement and she's just repeating it for his benefit. He knows the rest of it, he has it in front of him. Ms. Opthof-Cordaro said are we doing the roll call? Ms. deLeon said yes, but he's being called on. Mr. Carocci said let him think. Ms. deLeon said while he's reading that Mark, why doesn't he go on to the next person. Mr. Hudson said Ms. Opthof-Cordaro? She said yes. Mr. Hudson said Mr. Carocci. He said no. Mr. Hudson said Ms. Ray. She said yes. Mr. Hudson said Ms. deLeon. She said yes. Mr. Hudson said Mr. Banonis.

Mr. Banonis said so Victoria said that it's in the letter and Mr. Goudsouzian has two proposals in the letter that he undertook without instruction from this Council, so he's not clear which one is part of the motion. There's a paragraph on page 2 and there's a paragraph on page 3 so maybe you could clarify that for him before he votes. Mr. Goudsouzian said it was the one that was read into the record twice on page 3. Mr. Banonis said okay. Mr. Goudsouzian said the sum in substance is on page 3, obviously whatever the motion exactly was would be controlled by whatever the motion that was stated. Mr. Banonis said well which is it. He said it's what is...Ms. deLeon said she'll read it again. Mr. Banonis said he's not done. She said what's contained in the letter. He's asking there's two proposals in the letter, he doesn't think this letter was ever produced to the public. It's certainly not part of the record here that the public has seen. So, and Mr. Goudsouzian just clarified that the motion is what's contained on page 3 and then he qualified that by saying generally speaking, so which is it, what is contained on page 3 or is it generally speaking, and if it's generally speaking, he wants to know exactly what the motion is. Ms. Ray said she made the motion twice. Mr. Banonis said and she, and he asked her for clarification as to what it is and she hasn't answered that question. Mr. Goudsouzian said she doesn't have to. Mr. Carocci said he doesn't think Ms. Ray was recognized. Mr. Goudsouzian said just to be clear the motion is what Ms. Opthof-Cordaro said, not what is on the piece of paper. Whatever she said today, that's the motion and you heard it twice. Mr. Banonis said he's going to say no because nobody will answer that question for him.

ROLL CALL: 3-2 (Mr. Banonis & Mr. Carocci – No)

- E. POTENTIAL ACTION ON EXECUTIVE SESSION ISSUES (IF APPLICABLE) - None**
- F. PUBLIC COMMENT PROCEDURE**

Ms. deLeon said moving onto public procedure. At all of the meetings of Council, regular or special, interested citizens with legitimate matters to lay before the Council shall be granted the right and privilege to address Council. The Council may prescribe procedures for citizen presentation to ensure decorum at all times and to prohibit personal or insulting language, total irrelevances and harassment either on the part of members of the Council or members of the assembly at the meeting. Council passed Resolution #31-2024 on January 2, 2024. There are copies out in the hallway in that little shelf thing. So, it basically boils down to after each agenda item, the public gets a 5-minute comment period and at the end of the meeting, you have a 5-minute public comment period on non-agenda items. So, if someone could remind her when the minute is approaching, she would appreciate it. So, moving on to developer's items.

2. **PRESENTATIONS/HEARINGS/ORDINANCES/RESOLUTIONS** – None

3. **DEVELOPER ITEMS**

A. **ZONING HEARING BOARD APPLICATION REVIEW – 412 COMMERCIAL CENTER – 1865 & 1883 LEITHSVILLE ROAD & 1980 SPRINGTOWN HILL ROAD (VAR. 09-23)**

Ms. deLeon said this has been taken off the agenda for tonight so if you were here to hear anything about that, it was taken off. Mr. Hudson said the applicant sent in a letter this afternoon, late this afternoon that they are withdrawing their ZHB application. There will not be a ZHB meeting on Monday, February 26th.

Mr. Banonis said may he be recognized? Ms. deLeon said no, he is not going to be recognized. Mr. Banonis said on what was just discussed by the Township Manager. Ms. deLeon said it was taken off the agenda. Mr. Banonis said he'd like to be recognized. Mr. Carocci said he recognizes him. He's an elected official. Let the Gavel Nazi talk again. Ms. deLeon said next agenda item.

4. **TOWNSHIP BUSINESS ITEMS**

A. **DISCUSSION ON VISTAS AT LONGRIDGE DEVELOPMENT (LONGRIDGE DRIVE & ROYAL VALLEY LANE)**

Ms. deLeon said the Township received...Mr. Banonis said that matter has just been taken off the agenda, and he thinks the public should know that the application that is going to be before that ZHB, when it is ultimately there, is a matter where this Township rezoned a stretch of Route 412 for commercial purposes to increase the tax base for this Township. In turn, St. Luke's Hospital, a non-profit has purchased that property and would not be subject to taxation, so those that are interested in the tax revenue to the Township and the implications from this project should consider participating in that ZHB meeting. Ms. deLeon said moving on. She apologizes, do they want to step up here please.

Ms. deLeon said the Township received complaints from some of the homeowners in the Longridge Development living on Longridge Drive and Royal Valley Lane. These residents have returned to continue to address Council with their concerns. So could please state your name for the record and give them updates please.

Mr. Matthew Minielly was present. Mr. Cary Magaram was present. Mr. Minielly said they also have with them Caroline Opthof, she's Lot 7 who, she was not part of his data set two weeks ago but she is joining us in the audience tonight. So, what's happened in the last two weeks? Well, they shortened the meeting time at least five hours. He's trying to unite you guys as they got some serious issues. They are all searing down the issue of a \$1 million loss so it's really of concern to them. Ms., is your last name Opthof as well? So, Lot 7, she called him after the last meeting and she heard about their presentation and she's also having the same issues. So grading issues, excessive ponding in her backyard, you know, worried about it going into her basement and so forth. She actually took the financial steps to actually move all of her exterior utilities so they weren't damaged by the storm water runoff issues so that cost her several thousand dollars to do that as well. Septic concerns, she's got the same septic as he has, it's a drip system. She was not presented with any documentation on that as well so he'd like an update if they made any progress on that situation. He does think the saturation levels around the manholes in her yard are tangible, if you will. So you can feel that there's probably a leak there like there is with his. Electrical issues, she has electrical issues. Her breaker has tripped frequently

without notice, not due to storms, not due to anything. HVAC issues like Mr. Magaram's home. Her child lives on the second floor and during the summer she struggles to get the room below the mid-80's from a temperature perspective. It's just not a safe environment for a child and again, the typical subflooring trampoline issues. He had reported at the last meeting that his septic was fixed. He would like to report to Council that he unknowingly lied to them; it is not fixed. So they are batting 0 for 4 and they continue to have leakage of more than 130 gallons per day so he would like to, this has been shared with Township Manager so if that wants to go into the record or whatever but this is a report from Chris Taylor, he works for Hanover Engineering (HEA), he's the Septic Enforcement Officer (SEO) and he's been monitoring the system at his lot and they are currently discharging, there's a leak of 130 gallons per day out of his septic system. He actually got a note from the builder's counsel about 5 minutes before the meeting that they are going to, they are basically waiving any, they are not going to participate and they feel that they don't have any liability to fix. So, that's exciting. They've lawyered up. We have as well, but they don't know that necessarily unless they watch the video. So, the other thing he'd like to draw Council's attention to is that while the contractors were attempting in three of the four fixes, they discharged several thousand gallons of septic fluid into the forests from his tank versus using a licensed waste hauler. That's not only unethical but it's illegal and he thinks they should be fined and they actually have photographic evidence of that which has been shared with Mr. Taylor as well. Ms. deLeon said that should definitely be looked into. Mr. Minielly said it's a clown show over there and he'll talk more about that in a second, but he has had to monitor the meters on his septic twice a day. He had to shovel a 100-foot path in a 15" snowstorm so he could go take a picture because these guys don't believe what's happening and they are accepting no responsibility for it. You know, they wanted to on Monday inspect the tank again and thankfully HEA stepped up and said that there are structural integrity issues with the tank at this point and they are asking for a replacement and this is when the builder stepped back and said they are out. They are not playing ball. So now they got a leaky tank that can contaminate the, our well systems, and so forth, so also as part of this agreement and he does thank Mr. Banonis for drawing their attention to certain paragraphs, 14 and 15 regarding Townships potential right to litigate. Also, as part of this contract that the owner signed, the owner AKA, the builder, the owner shall retain an insulation contractor who has the appropriate training and is licensed by and approved by the manufacturer. Neither, and Mr. Taylor has investigated this, neither of the contractors that are working on this and installing these systems in their development are licensed by the manufacturer. That's a problem, so what are we going to do about it. Since the last meeting, two weeks ago, that Friday, we had one home that took on more water in their basement and later last weekend another one, so they've had two homes with measurable water in their basement. Two homes that had major electrical issues, his and Cary's. They actually had a power outage Friday morning and again his panel doesn't turn on. Once it's turned off, it doesn't go back on. He has to go manually reset all the breakers. He did speak with David from Key Codes today. He's never heard of such a thing. He's been investigating it for two or three days and he's got UL so and so involved now to continue the investigation. Also on last Friday night, Cary's house, like half of it went dark. He reset the panels and they didn't come back on so there's electrical issues and these are what concern them most. Is it going to take a fire to take out a house? You can't see behind the walls and he thinks Mr. Magaram can attest that he's had people, certified electricians come that said "they wouldn't have electrified the house this way" to some manner.

Someone was speaking. Ms. deLeon said you need to speak into the microphone please. Mr. Magaram said they had two different electricians come to their house just speaking on the work that was done by the subcontractor that Rotelle hired and mentioned that they were just lazy, incomplete, saying he was getting, they were from two to three extra fault turns with the screwdrivers for everything from their electric panel from downstairs to just light plates and outlets all over the house. So, it's hazardous to say the least.

Mr. Minielly said so this is what concerns them most. Then they had one home that had a well pump failure, which was likely due to the electrical configuration. So they've got major electrical issues. Again, don't know who has oversight of that but there continues to be serious problems in their development. Today too, he doesn't know if anyone knows what mechanical compaction is, but he learned about it today. So, during building when you backfill the soil and before you put concrete over

it, you are supposed to, you are supposed to compact it, right, through some mechanical means. So, today on Lot 13, both in the floor foundation in the basement and in the garage, they just threw the dirt in, threw the rocks on top and poured concrete on top of it. So, again, these guys are running around unsupervised. They don't know what they are doing and so what happens is, you know, soil is made up of 25% air, 25% water, and obviously in the winter, water becomes ice and it's bigger so when it compacts, what happens is you create voids in the foundation. He just called a few people that specialize in this and it's \$25,000.00 to fix a garage that has a void in it. So, this is what they are looking forward to, especially Lot 13, literally backfilled, poured within an hour of each other. He actually, Chris Taylor, is a geologist as well and he knows a lot about this subject and they discussed it at length and these guys continue to build structurally unsound homes, not to code, and now they've thrown up three homes, is it what in the last two weeks? Three homes, they are pouring foundations in 18-degree weather. It's a problem. So, they are here to help. He doesn't know what you guys have found out since the last meeting but it's clear by the builder's words, actions and quite frankly, their inactions that they don't need to play by the rules. Right, they don't think they need to play by the rules. They are visitors to our community. He knows they have other development going on in this community. Those developers live in this community. You know, these people are non-responsive to anything that we want, so he's wondering if the list of last time, if there's been any discussion with the builder, can the Township enforce the storm, the runoff issues, the drain issues. He knows there was some concerns that, whether or not you guys had the authority to enforce the storm water plans. His lot specifically is off 3'. They've got a melt coming up and he's going to be taking in water again. Everyone knows that the spring rains, and so forth. How can we enforce the coding issues, simply saying they got Key Codes or some other agency doing it. You know, that doesn't transfer accountability in his opinion. He doesn't know what to do with the non-disclosure of the septic agreement. He thinks he knows what to do but doesn't want to necessarily say it in this forum. You know, and have you guys had meeting with Rotelle. He knows that was potentially, had there been meetings with Rotelle.

Mr. Hudson said they didn't have one meeting with Rotelle. They have one meeting set up in the timeframe that they were able to get everyone together. They talked about many of the issues and they are going to get them some information back from information that they had. Mr. Minielly said did they establish a time line on that because they are very open ended when they say they are going to get information back. Cary has got a timeline of 30 days. Mr. Magaram said March 29th is his one year when he essentially loses all recourse per their contract. Mr. Hudson said they did not get a date from the conversation they were going to work on pulling things together pretty quickly. The builder's counsel, you mean....Mr. Minielly said the lawyer. Mr. Hudson said that's what he thought he meant. Ms. deLeon said does anyone else from the Township have anything to report, Brien do you have anything to report.

Mr. Hudson said he sent out all the grading plans that he had to everyone so he was working on that. He was hoping to have Council tonight authorize Brien to come out and review all grading plans when he can. They still have, most of the houses are on temporary occupancy permits because the grades weren't ready to be done at that time so they still have some escrow for that to help with Brien reviewing all of the....Ms. deLeon said do you need a motion then? Mr. Minielly said what does that mean then, may he ask you, what does that mean when he comes out and reviews. You saw his as-built, he thinks Cary has an as-built and a few others are getting as-builts. Is that...Mr. Hudson said can he share those with Brien.

Mr. Kocher said it would be very helpful before he goes out, if Council directs him to go out and look at the grading because those as-builts they are just so Council understands, he is more than happy to do that, take the approved on-site grading plan and go out and see if he thinks, that's not as accurate as an instrument, obviously, it would be the opinion of his eye versus what an instrument would actually pick up so any information like that which they could share would be very helpful.

Mr. Minielly said he will get them and they will route them through Mark. Ms. deLeon said she'd like to make a motion.

MOTION BY: Ms. deLeon moved to have authorize HEA to do the review on the as-builts for the grading.

Mr. Kocher said yes review the onsite grading. Ms. deLeon said the on-site grading, did she say that right.

MOTION BY: Ms. deLeon moved to have authorize HEA to do the review on the as-builts for the onsite grading.

SECOND BY: Mr. Banonis

Mr. Carocci said he has a few questions. Mr. Banonis said he does too. Ms. deLeon said go ahead, Council discussions, Jason. Mr. Banonis said the one thing they didn't hear and he's not expecting that from you but when they left the meeting last time, and he knows they were here a long time and he appreciates how late they stayed because the issue is important to them, and it's important to him. He would prefer to have greater urgency from the Township addressing his issues because he explained to them the duration of the problems that they had as well as the upcoming deadline that they have with regard to their warranty claims. In addition to that, he brought up the fact that they got spring coming and they've got the rainy season and it's only going to get worse for them so the one thing they discussed in the last meeting was what levers does the Township have to exert some pressure on the builder and he hasn't heard anything yet tonight. Maybe that is still coming but one of the things they talked about was does the Township have the ability to exert any financial pressure on the developer and the builder with regard to this and he doesn't know the answer to that. He doesn't know if the Township Manager or the solicitor or anybody else has looked into that issue as to whether there is any financial, he knows they talked about it like \$100,000.00 you know, bond or something like that which is peanuts compared to the amount of damages that they are going to be...Mr. Minielly said \$150,000.00 to regrade his lot. Mr. Banonis said exactly. That's a drop in the bucket. He could see to the extent that this plays out to, he could see the developer and the builder saying they will waive that and try to get away and give up the \$100,000.00 to save a million on the other end or whatever the cost of repairs are. So, maybe there's an answer to that question. Maybe they haven't looked into it, he doesn't know but he thinks it should be looked into and it should be any sort of financial leverage that the Township could exert, they should try to do that. The other question he has is have they looked into, you got a developer, you've got the general contractor and you got sub-contractors. Each one of these sub-contractors has a responsibility for excavating, electrical, plumbing, septic, and things like that. He doesn't know if they know who those sub-contractors were that were employed by the general contractor, and if they've reached out to them for any recourse that they may have. He doesn't know. He's just pointing that out as a...Mr. Minielly said they do know who they are but they don't have a contract. Mr. Banonis said he understands that but they may be a third-party beneficiary. He's not providing legal advice for this but maybe you're a third, their attorney can look into this but he's just pointing that out. He hopes the Township responds quickly. Mr. Minielly said they hope so too. Their almost, as they live there now, it almost seems like they are putting the homes more haphazardly because they know, they know that we've contacted this body, right, they know right, so...Mr. Banonis said we are quick to write a check for a fire truck that doesn't fit in a firehouse, okay but yet we are not quick to address an issue that could prevent a fire that would require the fire department or fire truck to actually coming to their property so, he thinks our focus might be a little bit off and hopefully they can get refocused and do important things.

Mr. Minielly said he appreciates that. Ms. deLeon said okay, Tom. Mr. Carocci said he wishes someone on this Council would take this more seriously. My God if the landfill wasn't graded appropriately, you'd never hear the end of it. But Brien, they have this money in escrow, but the developer put that in escrow, is he correct about that?

Mr. Kocher said well you have a series of different escrows. You have, he believes, it's a letter of credit from the developer to do the unfinished improvements like put the wearing course on the road. Then as the individual lots come in for building permits, you have escrows that escrowed for the grading plan review. You also then, if a home is ready for occupancy, and it's winter and maybe they don't have the site graded, they post a certain amount of money, maybe \$6,000.00, maybe \$10,000.00 to insure that they come back and finish the grading when the weather dries out. There's a series of different escrows that the Township may be holding.

Mr. Carocci said when these escrows close when they get the CO though? Mr. Kocher said that's his understanding. Mr. Hudson said right now most of them have temporary, Matt's is the only one that's fully closed. Mr. Carocci said so the other ones are temporary so they can hold that money and stay in escrow. Mr. Minielly said his was the model house. Mr. Carocci said they can stay in escrow as they are temporary, there's no permanent CO. Mr. Kocher said right, that's his understanding because Matt has the model home, it was built first, so it...Mr. Minielly said they are displaying all the problems that you could have with a home. Mr. Carocci said he's concerned that the Township is not, he thinks on the front end they are very good about looking at these plans, you know, Planning and Zoning, if need be, but they are not looking, so they are looking at what the developers are presenting at that stage, but they are not really looking at what the builders are doing on the backend before these COs are issued, is that fair to say?

Mr. Kocher said he thinks the ordinance doesn't provide as solid of a backend as the frontend. Mr. Carocci said what does he think can be done about that. They do have other developments in the Township, one in particular, off of Spring Valley Road, and he trusts the developer there because they are local. It's his understanding that those lots will be sold and individual builders will be able to come in and build a house for a homeowner or a lot owner and you know, what can be done. He doubts all townships have these same type of issues. He bets there are some townships that are very strict on what builders have to do in accordance with the plan, basically follow the plan.

Mr. Minielly said they are the only one in the Lehigh Valley, well, he doesn't want to say the only one, but he checked the Upper and Lower Milford's, Upper Saucon. They are the only one that doesn't require the as-built as a contingency for the CO. So if his escrow of \$6,000.00 or \$10,000.00 was released on the grading plan review, he'd be very curious as to who did that grading plan review because as Brien came out, they didn't have a transit but he could see with the naked eye, the grading issues.

Mr. Carocci said is this something that HEA would recommend the Township adopt? Mr. Kocher said he thinks you have a series of different things you could enact. Matt's right that there are communities that have as-built plan requirements and then a review of the as-built plans. There are some communities that require an as-built plan and a certification from the designer that they actually went out and looked at it and it was graded in accordance with the intent of their design but so, there are series of things to do to insure that. Just bear in mind that they also have over the years heard complaints of, well now I got to pay for, my contractor was wonderful, now I got to pay for an as-built, I got to pay for the Township to review the as-built, when I didn't have any problems. So, they have heard comments...Mr. Minielly said he would have traded the \$1,000.00 for the as-built for the \$30,000.00 uninsured loss he's had. Mr. Kocher said all he's trying to advise is you'll get that other...Mr. Carocci said he understands that, but they also used to be a Township four years ago that had two engineering firms that would review the exact same thing on everything that came through the door, for some reason they did. They put an end to that and just went with HEA but it seems that we are dropping the ball in the backend here. They are asking developers to spend a lot of time and money getting their plans correct, and in accordance with the Township ordinances and then the builders can come in and apparently do whatever they want and there's not much recourse the Township currently has. He thinks he'd be looking at recommendations from HEA as to how to change that, he doesn't know what the rest of Council thinks.

Mr. Kocher said Upper Saucon has a pretty involved process that involves as-builts so if that is something that Council wants to look at. Mr. Banonis said he'd like to know...Ms. deLeon said she's sorry, he's talking. Mr. Banonis said he's going to go again. Ms. deLeon said yes, after they all go.

Mr. Carocci said so Upper Saucon has an as-built requirement that they could look at. Mr. Minielly said yes, they have an as-built requirement, yes. Mr. Carocci said an as-built requirement that they could look at. He'd recommend that Council review that maybe next time, our Planning Commission maybe review that to see, because there are 13 or 14 lots off of Spring Valley Road that are going to be built on and he's more concerned...he's concerned that the Township does whatever they can to help these residents by holding the money in escrow and holding the builder's feet to the fire as much as they can.

That's first and foremost. His second thing is let's try and prevent residents from going through something similar in the future. Mr. Minielly said there are already two or three that are in that pipeline so he doesn't know, he's not providing advice, but he doesn't know what the permitting requirements are or whatever, but they've got major issues. Whatever levers you guys can pull would greatly help them like he likes to talk to people and he called them and they refused to talk to them. Everything has got to be in an email.

Mr. Carocci said his other thing is why are we using these same firms that signed the COs for Matt's property. Like he means, you told him something about the firm, they are not licensed or something like that. Mr. Minielly said no, so the firms, the contractor that was contracted to put in his septic, was not a certified contractor for that septic system. It's not a traditional system. It's all computerized. It's got pumps all over. When he first moved in, he thought he had an irrigation system because stuff was blowing all over the place. It turns out they didn't even install it right.

Mr. Carocci said who issued the CO, a firm that we hired, a third-party firm that we hired, is that correct? Mr. Kocher said he doesn't get involved in the building side. Mr. Hudson said you are talking about two different things. Mr. Carocci said for his problem. Mr. Hudson said the septic is by Chris Taylor. The CO, the inspections for his property was Key Codes. Mr. Minielly said he actually admitted David was surprised that when he said that his furnaces weren't connected to the propane, he heard there was a long pause. He couldn't believe that to be the case. Mr. Hudson said David has been in touch with, he's gotten David in touch with Matt. Mr. Minielly said he did call today. He's investigated...Mr. Hudson said that's the guy that is working for them for the electrical. Mr. Carocci said this is one of the firms the Township recommends. Mr. Hudson said yes. Mr. Carocci said well is there another firm, they recommend two firms? Mr. Minielly said so David has only done, he did his house and one other house that are currently occupied. You guys had switched to another firm. He confirmed that. Mr. Hudson said they have two firms. Correct, but Rotelle switched to a different firm and they are using the Base Engineering. Mr. Minielly said based on Rotelle's competency, the fact that they fired these guys...Mr. Hudson said he doesn't think it was a timing issue. They wanted quicker inspections and Base is a bigger outfit that could get them quicker inspections. Both those companies said as they did all the inspections, everything was good. Mr. Minielly said well just for clarity on that, David, their firm is not actually, so he has a new panel. It's made by Leviton, it's not a traditional panel so again, it's, he hates to say it, but it's an upgraded panel, which is not functioning correctly so actually their firm nor David has expertise in how that panel works. He does not have a...Mr. Hudson said correct how it works, but whether it was installed per code is a different, that's a different discussion. Mr. Minielly said to him that means...Mr. Hudson said you have a smart panel so the smart panel is how it works. Smart is not code. Code is was it installed per code. Mr. Minielly said does that mean that four bolts were put on the wall to hold it up, he doesn't know what that means. Mr. Hudson said the wires were put into the right spot and they inspect all that. If it's inspected, it's inspected per code. Mr. Minielly said did they do power surge testing and so forth and hit all the buttons. Mr. Hudson said he knows they go around, he can't answer that. If they are certifying that it was installed per code, they are doing what they are required to do by the building code to inspect that panel. Now whether it works...Mr. Minielly said whether it works because they are all having issues...Mr. Hudson said with the smart panel, he doesn't know how the smart panels works.

Mr. Magaram said he has the same panel he has and they have identical issues and it's interesting Rotelle agreed to put a surge protection for him but not for Mr. Magaram. They are dealing with morally bankrupt individuals, people have no regard for the citizens of this town. They only care about one thing and one thing only, and that's money. That's the only language that speak. At a letter, ten minutes before this to tell him he is now on the hook for his septic tank replacement. The clock is ticking for him. He sees Carolyn's house, the siding on her house is warping. He and his wife have been reporting for weeks with zero resolution. Like he said last time he was here, he doesn't sleep at night because of what he's going through and then what is coming around the corner, which he doesn't know, is a fun, new adventure every week for himself and his wife whose mental health is degrading by the minute dealing with these charlatans. So, he deplures you, pull whatever levers are available. The one language

they do speak is money. The one way you can get through to them is to take it away from them or deny access of it to them because that's all that they care about.

Mr. Carocci said he certainly doesn't think we should be recommending firms that aren't doing the job, getting the job done. Well, good luck. He's sorry to hear that not much progress has been made in two weeks, but hopefully some other Council members will have some ideas to get things going. Ms. deLeon said are you finished Tom? Mr. Carocci said yes.

Ms. deLeon said she would like to say that on the record that as a Council person she does care about their situation and she does put it in high priority like she would anybody else that is having issues like this. So, and she knows the Township has been doing what they were doing to help him and will continue that and you know, try to figure this out the best they can. She made the motion about the grading, which is what they are discussing now but she also thinks that, and the Sunshine Law limits them for certain motions but she thinks that hearing what she just heard about the as-builts, she thinks that should be on their next agenda. So she doesn't need a motion to do that but she'd like to put that on and see where they can go with that, so, it might not help some of their problems but going forward for somebody else. Mr. Minielly said he just wants it fixed. As Cary mentioned, it's affecting everything, right. He had to cancel business trips. It's affected his performance at work. It's awful. It affects your marital relationship. It's not a good situation, and what you are going to have, there's already one condemned house up in their community, with this developer. What you are going to have is you are going to have a bunch of million dollar homes that are empty as they are just going to walk away. Ms. deLeon said she knows. Mr. Minielly said he does appreciate that they are actually uniting the Council in some aspects here, so thank you.

Ms. deLeon said she is going to open it up to Victoria next. Ms. Opthof-Cordaro said thank you. She thinks the commenter spoke that there is a lot owned in that development by her sister, Caroline Opthof, and she as a Council person is subject to certain rules and regulations about what she can and cannot do. One of them is called the Ethics Act and the Ethics Act specifically precludes her from making any decisions that would have any pecuniary, meaning money benefit to, for herself or members of her immediate family, and her understanding is that immediate family is defined as her children, her spouse, or her parents. She doesn't believe her sister is included with that but with this specific development, she hasn't contacted the Ethics Department yet to find out whether or not her vote, whether she can vote, so, for this specific motion and a second, she's heard, it sounds like Council is in unison on this particular topic, but she's going to abstain.

Ms. deLeon said okay, Laura. Ms. Ray said alright, yes, so this is very concerning. Ms. deLeon said you need to move your microphone up or something. Ms. Ray said she hears it echoing. Okay, can you guys here her back there? So, this is a very concerning issue. She doesn't know all the legal recourse that they have that they can take. She hopes that they are doing everything possible. Her thought last time and again this time, she would circle to the code inspecting agencies and she knows she heard Mark say that they only need to check that things are built to code and that's it, and she doesn't know that that's is totally accurate. She thinks, she means, she knows other things when a permit is issued, they not only check that it was installed to code, but they do some testing to verify it whether it be pressure testing on lines if there's like propane lines, you have to check leakage, electrical, like you said the surge testing, so she thinks there is testing that needed to be done and she doesn't know if it has been done. She would certainly like to see all those signed off code inspection reports of who is doing them because, you know, in her mind, she's thinking do they just sign off on them because they didn't feel like doing it that day, you know, they get paid to do it, and then just sign the paper. So, she thinks we should look into those code inspection agencies is one thing we can do and certainly, come up with different agencies. She doesn't know if Base Engineering, you said they did some of them as well or not yet, for inspections. Mr. Hudson said yes, Base was one of them. Ms. Ray said and Key Codes. She thinks the Township should look into those things. That's her suggestion. Mr. Minielly said he appreciates her comments. He thinks they do a drive by, lick it, and stick it type of inspections like you do on a car. Ms. Ray said yea, that's not what you do on a house.

Ms. deLeon said okay, Mark can we have a roll call please. Mr. Banonis said he just wants to be heard again, very briefly. Ms. deLeon said we are doing roll call. Mr. Carocci said let him speak. Mr. Banonis said okay, do your roll call. He'll speak when they are done. Ms. deLeon said you can speak when they are done. Roll call, please.

ROLL CALL: 4-0 (Ms. Opthof-Cordaro abstained)

Mr. Banonis said may he be heard. What's concerning to him is that this Township government, municipal government is here to protect the public and he thinks they've let everybody down in their development based upon the information they are providing to Council. He doesn't know how you can get a CO for a home without having heat, okay, that's the first thing. That's, he means the basic necessities of life are heat, water, shelter, so he's not sure how that happens. He wants to, he thinks this Council needs to do an in-depth analysis of this. He doesn't know when the ordinance was enacted. These are the rules that are supposed to protect the public, per the ordinances. He doesn't know when the ordinance was enacted that did not require an as-built. Priscilla, maybe she does, she was on Council for a long time. He doesn't know when the ordinance was enacted. He doesn't know the circumstances that went to that, but he would like to direct the Township Manager and staff to figure out when that rule went into effect and to find out how that was arrived at because it sounds like other municipalities don't do it the way we do it. He thinks they owe that to not just you but to others that are going to be developing in the Township. This is a glaring problem. The other thing, he doesn't think he needs a motion for that. The other thing he thinks Council should do and he doesn't know if Council can do this. They already indicated that they are lawyering up. The Township obviously has legal interest in this. He's wondering if it's feasible for the Township to enter into a joint agreement with their lawyer so that our mutual interest could be pursued together and supplement one another, but at the same time, you, yourself and your neighbors may have valid legal claims against the Township for not doing things that they should have done. He doesn't know the answer to that but what he'd like to do is to make a motion.

MOTION BY: Mr. Banonis moved to direct the solicitor to look into the possibility of a joint representation agreement or a cooperation agreement with their attorney so that they can work in unison while maintaining privileges and confidentialities as long as those interests are not adverse to one another since they may have valid claims against the Township for not doing something that it should have done with regard to the permitting, CO and approval process here.

Ms. deLeon said when was your house approved. When was...Mr. Minielly said he actually doesn't know that, the answer to that question. Ms. deLeon said a year ago. Mr. Minielly said he actually doesn't think the CO was approved until slightly before he moved in but they were using it as a...Ms. deLeon said tell her when, she doesn't know when he moved in. Mr. Minielly said sorry, he moved in, in November 2023, he closed on the house November 21st. He does believe the final CO was maybe granted in that November timeframe prior to him closing.

Mr. Banonis said what he's focused on is our ordinance or whatever rules and regulations the Township has, that allow this to happen. He wants them to figure out how they reached the conclusion that we didn't need to have as-built requirements, he thinks we need to inform ourselves, maybe there's some issue that they are not seeing here. He realizes that there may be additional cost to developers to have to do that and it may delay the closing on homes. People want to get closed. They have certain dates with financing that could hold up those issues creates a whole, there's a whole other layer to this that we're not aware of, but at the same time, he thinks we need to do a thorough analysis of it. Ms. deLeon said if you recall, she asked to put the as-built discussion on the next agenda. Mr. Banonis said she did, but he's asking, he wants to see the minutes and the records and anything else that went into the original ordinance, not just let's talk about it. He wants to drill down and get the data so that they understand exactly what it is we are talking about, otherwise, we are just paying lip service to this process and these folks deserve better than that. Ms. deLeon said so did you have a motion on the floor?

Mr. Banonis said again his motion was to direct the solicitor to look into and report back to Council as to whether or not a joint agreement could be entered into with the attorney who has been retained by the homeowners here to see if there are mutual interests and there can be a unified presentation of those interests as long as there aren't conflicts of interest that would prevent that namely whether the residents have a potential claim against the Township for dropping the ball here.

Ms. deLeon said so you would present us with a draft. Mr. Banonis said just report to Council, he doesn't need a draft. He just wants a report as to whether or not he can do it. If he says he can do it, then we can direct him to enter into the agreement. If he says we can't do it, then we can't do it and part of that would be doing some legal research on it, communicating with the attorney who represents the homeowners here, and whatever other due diligence is required to provide Council with a comprehensive legal opinion. Ms. deLeon said is there a second to this.

SECOND BY: Mr. Carocci

Ms. deLeon said Council discussion, Jason, he already pretty much said your... Mr. Banonis said he said his part. Ms. deLeon said Tom. Mr. Carocci said he's fine with it. Ms. deLeon said Victoria, you are abstaining from this. Ms. Opthof-Cordaro said she's abstaining from the vote but she just wants to ask the solicitor if he's, at this point in time, comfortable with making that level, making that step as she understood there were still additional things, so she's asking if he feels that that's a comfortable move for the Township. Mr. Goudsouzian said he's comfortable coming back at their next meeting and reporting at that point. As Mr. Banonis suggested, can we do it, what are the parameters of doing it, and separate question, should we do it, and what are the issues of whether or not we should do it. Mr. Banonis said yes. Ms. deLeon said Laura. Ms. Ray said... Ms. Opthof-Cordaro said she's sorry, that's okay. She just wanted to, she's hopeful by the next meeting she can get some clarification on her ability to vote, but for tonight she's going to abstain but that doesn't mean she will necessarily have to abstain in the future. Thank you. Ms. deLeon said Laura. Ms. Ray said she doesn't have any additional comment on this. Ms. deLeon said okay roll call please.

ROLL CALL: 4-0 (Ms. Opthof-Cordaro abstained)

Mr. Minielly said you guys go about your business but they do appreciate it. The one last ask that he would have is you know they all have the same issues. He has septic issues. Ms. Opthof has potential septic issues. Could they review for the health and safety of the environment in the community that's drinking the well water and so forth. He met some other residents that are adjacent to their community that are present this evening, could they mandate review of the septic tanks because they've got 7 homes with 5 failed foundations. Most of them have HVAC issues, electrical issues. If the same guy put the septic tank in, he got to believe there are other issues and there's concerns and their systems are able to be monitored digitally through metering but other systems are not and they use the same tanks so he's wondering if these guys bought from the scratch and dent lot. No, you laugh but this is... Ms. deLeon said she knows, no she's not laughing... Mr. Minielly said this is refurbished materials and that's what they are finding and he would just from an environmental perspective, they've all got 8 children under the age of 5 in their community, sorry, hers is 9 years old, 10 years old, so they got 9 kids in their community that are drinking this well water and it could be contaminated by septic effluences so he would just ask that you guys consider, as Council, mandating the review of the tanks that are in place and certainly no disrespect to Chris Taylor because he's done an amazing job with his particular issue. No disrespect to any oversight he may have had of the other tanks, but they just want assurance as a community that their septic tanks aren't throwing stuff all over the place.

Ms. deLeon said how would they handle something like that. Mr. Banonis said may he ask him a question. Has he had any water testing done. Did they have their water tested to see if there's any issues of concern. Mr. Minielly said so they actually, in their home, he can't speak for the others, yes, he had a person come over and test but they also through their drinking water, they have a UV Ray treatment which gets rid of these bacteria. He doesn't know if other people in the development do. He doesn't know if his neighbor across the field does that. Mr. Banonis said he was just wondering if they got it

tested. Mr. Minielly said yes, he's had their water tested and it came back fine, that was a week ago. Mr. Banonis said the other question he has is maybe Mark and to Brien does DEP, is that who would oversee sewage, on-lot sewage.

Mr. Kocher said ultimately, it's DEP's regulations that are enforced most of the time through the Township. Mr. Banonis said okay. We're real quick to send letters to DEP about nonsense with the landfill, why aren't we sending a letter to DEP with these residents' concerns about their sewage issues. Mr. Carocci said we can. Mr. Minielly said Chris Taylor has been in touch with the local Bethlehem area DEP rep that oversees sewage and septic, but broader DEP he doesn't believe any conversations have happened. Mr. Banonis said he doesn't think there is a motion that's pending but he'll make a motion.

MOTION BY: Mr. Banonis moved to direct the Township Manager to author a letter to DEP raising these concerns to DEP through their investigation response.

Ms. deLeon said can she amend his motion and ask that they test their wells as DEP has done that in the past. Mr. Banonis said he's fine with that.

MOTION BY: Mr. Banonis amended his previous motion and moved to direct the Township Manager to offer a letter to DEP raising these concerns to DEP through their investigation response and ask that they test the wells in the Longridge Development.

SECOND BY: Ms. deLeon

Mr. Minielly said he did ask Mr. Taylor to share this with DEP. He doesn't know if he can share this letter with you guys. Mr. Goudsouzian said their staff has it. Mr. Minielly said he had made that request to DEP. If the enforcement officer of this Township is having trouble getting their builder to act, how do you think they are dealing with it on other critical issues? He means they are just disgusting, it's haphazard and it's awful so they appreciate the time. Mr. Banonis said maybe if they hear from DEP, maybe they'll pay a little bit more attention. Maybe he's being optimistic, he probably is. Mr. Carocci said the guy in the yellow sweater...Ms. deLeon said she's speaking at the moment. The other thing is that when you test your drinking water, you just test it for drinking water standards and it may not tell you everything that there's specific parameters that you may need to be testing for that is absent in that test. Mr. Minielly said that's fair, they have reverse osmosis UV, they've got the whole works but they don't know if other people do. It's a concern. Mr. Kocher said please be sure to share the as-builts with Mark so that that he can see them before he goes out as it will make the field visit much more productive.

Ms. deLeon said so there is a motion on the floor, Jason made the motion. Tom did he want to go next. Mr. Carocci said he's good. Ms. deLeon seconded the motion, so she supports the motion, Victoria. Ms. Opthof-Cordaro said this is on sending a letter to the DEP. She doesn't think that involves any pecuniary interest, it's just a letter so she is going to vote yes on that. Ms. deLeon said Laura, does she have any comments before they vote. Ms. Ray said she doesn't have any comments. Ms. deLeon said Mark can we do the roll call please.

ROLL CALL: 5-0

Mr. Magaram said he just wants to say thank you again. They really appreciate it.

Ms. deLeon said is there any public comment to this issue? Go ahead Ginger. Ginger Petrie said she'd like to let the gentleman know that NC, the district, Conservation District, has to oversee all of the plans when you are doing lots and all of the engineering that goes on. It goes from our Township engineers, the personal engineers, and all of that information does go to the Conservation District for them to oversee everything and then at that point, when you are selling even your lots before builders come in, the person that owns the properties is actually held responsible at the top of the list for all the people to do what they are supposed to be doing to the properties. The contractors as well as the sub-contractors so her suggestion would be for them to make sure they are contacted as well and they might have more

authority as well as your Council to help assist with this process because they have the right to persecute, she thinks. Ms. deLeon said thank you for that suggestion. Ms. Ophhof-Cordaro said that's the NC Conservation District. Ms. deLeon said did anyone else want to go.

Mr. David Boulin said he absolutely agrees with the previous speaker. By the way, if you've ever been through this process, he has a relative who has been through it. As a matter of fact, after nine years they are still in process and it gets kicked around like a football. The only thing he can tell these gentlemen is get yourself a really good lawyer and go after it, make sure you know each and every person that did those approvals and go after them. He really likes the Council's approach here and a little timid from what he's seen because he's been through it with other people but he wants to tell you, nothing beats a good attorney. The other, he'd like to ask a question. Are they going to get a chance as the public to speak about what was done earlier on this attorney issue? Mr. Carocci said you never called public comment. Mr. Boulin said pardon. Mr. Carocci said she never called for public comment. Mr. Boulin said he thought he'd ask. Ms. deLeon said yes, and she'll let that go under non-agenda items. Mr. Boulin said so that will be...because there's several things along that same line and he knows your revised rules say they can speak to each and every one of these as a rule before it is heard but not knowing what went on in the back room, that's really, he'll speak about it unless it's past 1:00 a.m. He does, please Sir...Ms. deLeon said was there somebody else standing up.

Mr. Mark Ozimek, Redington Road, LST, said he lost his train of thought there for a minute talking to people. Mr. Banonis wants to talk about Council and past decisions that were made. If he's correct in understanding, this guy moved in his house in November 21, 2023, which places Mr. Banonis as President of the Council. For the time that he was in office as President, Mr. Carocci and the rest of them at that time, did that Council do any investigation as to what was going on in the Township with builders. Was anything monitored? Was action taken against any of them and the big thing that brought him up here, the first time was, when you discovered this at the last meeting from these guys when they were here, how come there was not a cease-and-desist work order put on those companies building those houses because you just heard him say they are still out here plopping up houses pretty fast, as fast as they can to get done. When he moved in his house and had to pull out the cistern piping, he got a cease-and-desist order from Chris who used to be the Township something, he forgets. Ms. deLeon said the zoning officer. Mr. Ozimek said he forgets whatever his last name was, he can't think of it. Ms. deLeon said Garges. Mr. Ozimek said but he had come out about somebody dumping oil down at the scrap yard, and he stopped and he talked to him, his dad and his neighbor and he was pulling the old piping out of the basement. So, two days later, boom, he gets a cease-and-desist order from Chris and he got to come down to Town Hall to have a meeting with him which is what he brought up other things. So, if these houses are million-dollar houses and people are investing in LST, how come one of you or all of you or whoever is responsible, did not serve these people with a cease-and-desist order and pull their work orders and stop them from doing any more work, at all, on anything, until everything was inspected and situated and agreed upon on the proper way to do it. Ms. deLeon said she thinks that's a good question, is that...Mr. Ozimek said that is a good question because you are opening yourselves up for more lawsuits when you know what's going on and you didn't put a stop to it. And as far as talking about past Councils like Mr. Banonis wants to do, somebody on Council, besides just the engineer, should be more involved and more responsible for going out to these job sites and find out what's going on. He'd be pretty ticked off if it was him and his money and his house. Ms. deLeon said thank you. Mr. Ozimek said have a nice night.

Mr. Bob Blasko, LST resident said it seems to him that Mr. Banonis is trying to place a lot of blame on this present Council for these problems. It seems to him that he's very concerned about it. So is Mr. Carocci, so Priscilla, he would suggest that being they are so concerned and they want to know what can be done that you would appoint them to investigate what can be done to help these residents. That's one point he'd like to make. The other thing is that they had to redo their sand mound several years ago. They had the inspector out, he believes, three times. It cost them \$1,500.00 for the different inspections. One of the things that was very frustrating was the fact that when he came out, or rather when the contractor was there to repair the sand mound, he came across an empty abandoned septic tank, which then it was their responsibility to pay the contractor to take care of. Where was the inspector when this

sand mound was originally put in? Where was the Township on this? Why did he have to pay for what should have been taken care of properly several years before. That's the more serious incident. The other incident and more recent, they had some of the work done in their house through a general contractor. The general contractor, they made him come and get all the permits, the guys they paid for all the inspections, etc., etc. Less than a year later, one of the bathroom lights in the shower went out and his wife said, hey something is wrong here, Okay, fine, probably just a bulb. So, he was in Home Depot and called his son and said hey, would you go upstairs and take a picture of that so he can get one while he's there. He said sure Dad. Calls me back with a picture, said Dad there's something wrong here, these wires are charred inside of here. He contacted the general contractor. He told him he'll give him the electrician's number. He said he didn't hire the electrician, you did, you call him. He told him he should get a clue. He had already pulled the cans out for the lights he installed and he texted back and said it says for dry locations only on the cans, how's that for a clue. Never heard another word. When he called Chris up and spoke to him about it, he said that was almost a year ago, there's nothing they can do about it now. That's how concerned they were. Ms. deLeon said thank you, is that it. She's moving on to the next agenda item. She asked do they have a motion on the floor? Mr. Hudson said no. Ms. deLeon said we're done, that's a lot of motions.

B. AUTHORIZE PAYMENT #3 TO CH&N CONSTRUCTION FOR EASTON ROAD BALLFIELD PROJECT

Ms. deLeon said the Township has received the third payment request from CH&N Site Construction for the Easton Road Ballfield Project. This payment request has been reviewed by Hanover Engineering, and they are recommending payment in the amount of \$107,909.76.

MOTION BY: Ms. deLeon moved for approval of payment #3 to CH&N Construction for the Easton Road Ballfield project in the amount of \$107,909.76.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

Ms. deLeon said Council discussion, Jason. Mr. Banonis said he just wants to share with the public a very kind letter they received. This is on December 21, 2023. This was sent to the members of LST Council. This was from the postmaster from the Hellertown Post Office, Joseph DiRusso, Postmaster. He says as follows: "To the members of the LST Council. My family and I are very excited about the new baseball field under way on Easton Road. Our boys Joey and Frankie and many of their friends have played baseball on that field for many years. I have driven by the field several times lately to see the progress being made and I'm looking forward to the day this field is finally open to all. It's exciting to finally have a full-size baseball field in LST for year-round use available for these kids, young and old to play baseball and softball on. This is a field of dreams for our community to enjoy for many generations to come and thank you to all and Council for the foresight on this project. Lisa and I were pleasantly surprised at the Council decision to name the future snack stand Mama D's after her. She's worked tirelessly for many years raising money to help support LS-Hellertown baseball program as well as youth football, JV and SV High School baseball from doubling the number of banner sponsors, holding her fundraisers at Steel Club and many other fundraisers she has helped organize over the years to help raise funds to offset the cost of these programs to help make them affordable to everyone. Thank you for recognizing her and all of her hard work over the years. Looking forward to the day when this field opens for all! Sincerely, Joseph C. DiRusso, Postmaster." So, he thought that was very kind of Mr. DiRusso to share his positive views of this project and he's looking forward to the field being completed. Ms. deLeon said Tom.

Mr. Carocci said nothing. He thinks it's a great project and looks forward to voting for it. Ms. deLeon said Victoria. Ms. Opthof-Cordaro said thank you, she just wants to confirm that they've had their engineer coming out to inspect the progress and he's comfortable with the requested for payment based upon the progress he's seen. Mr. Kocher said they have an engineer onsite during most of the construction and it's been reviewed. Ms. Opthof-Cordaro said thank you.

Ms. deLeon said Laura. Ms. Ray said no comment, thanks. Ms. deLeon said public comment, anybody would like to speak on this issue, come up to the podium. Seeing none, roll call, please.

ROLL CALL: 5-0

Mr. Banonis said may he be recognized before moving on. Mr. Carocci said yes. Ms. deLeon said go ahead Jason. Mr. Banonis said she doesn't have to give him such a contentious look, he's just asking to be recognized. Ms. deLeon said she can give him any look she wants. Mr. Banonis said she's good at that. As he recalls about a year ago, Mark, he had met with representatives of softball for SV Diamond Sports and there has been some comment from people in the public that this field is inappropriate because it doesn't allow for women sports and he would just like to provide a reminder that the Township already has a lighted softball field here at Township Hall and that there were improvements provided to that park about a year ago. It went through the Parks and Recs process. There were recommendations that were made. Dave Spirk was the President of Parks and Rec at that time and had gone out with Roger, perhaps with Mark and representatives of softball to look at any improvements that were needed to make that field better and he thinks some of those things were adding some infield dirt mix, perhaps some benches and he thinks also putting some fencing up as well as improving the lights or adding or fixing the burned-out lightbulbs. He would ask that, obviously since they are constructing this baseball field, he would ask that the Township Manager contact SV Diamond Sports, specifically the President of softball, who he thinks is Greg Best who has been kind in donating lights for the basketball court and other amenities here in the Township. Reach out to him to see if there's anything else needed for softball. He thinks that they checked all the things that were on their list when they provided those improvements and he thinks it was about a year ago, maybe a little bit more than a year ago, but to the extent there are additional improvements that are needed to make that field better for the residents of the community and for the people that will use it, he would ask that we do that. He will make a motion.

MOTION BY: Mr. Banonis moved to direct the Manager to do that as stated above.

SECOND BY: Mr. Carocci

Ms. deLeon said is this related to the agenda. Mr. Goudsouzian said it is related. Ms. deLeon said okay, there's a motion on the floor, and a second, Council discussion Jason, he just talked, did you want to do more. Tom?

Mr. Carocci said he's good thanks. Ms. deLeon said Victoria. Ms. Opthof-Cordaro said she's happy to hear about something for softball. She will say that she would have hoped in the design phase of the project, which she did not have the opportunity to participate in, as a Council person, she would like to see this all into one design so that they aren't piecemealing the project right as it stands right now as its \$3.2 million but she is happy to hear the motion. Mr. Banonis said the motion is related to softball, the softball field here at Town Hall Park. Ms. deLeon said Laura. Ms. Ray said no comments. Ms. deLeon said anyone in the audience, roll call please.

ROLL CALL: 5-0

C. APPROVAL OF THE SAUCON VALLEY COMMUNITY CENTER SENIOR AGREEMENT FOR 2024

Ms. deLeon said the Agreement between the Saucon Valley Community Center and the Township has been prepared for the Senior Program. The program will run year-round with limited summer hours.

MOTION BY: Ms. deLeon moved for approval of the Saucon Valley Community Center Senior Agreement for 2024, per the terms of the agreement.

SECOND BY: Ms. Opthof-Cordaro

Ms. deLeon said Jason, comments. Mr. Banonis said nope, he thinks it's a great program. Ms. deLeon said Tom. Mr. Carocci said it's a great program. Ms. deLeon said Victoria. Ms. Opthof-Cordaro said just so everybody knows, it's in your packet, but to highlight the SV Community

Center will provide adults/senior programs Tuesday from 9:30 a.m. to 3:00 p.m. and Wednesdays from 9:30 a.m. to 3:00 p.m. and Thursdays from 9:00 a.m. to 12:30 p.m. year-round with limited summer hours. This is the summer program for our adults and seniors and she thinks it's a wonderful thing. Ms. deLeon said Laura. Ms. Ray said she thinks it's a great program as well. It's nice that the ladies can run all the things that they do throughout the year for the seniors. So, that's all. Ms. deLeon said she does a good job over there. Ms. deLeon said public comment. Okay roll call please.

ROLL CALL: 5-0

D. APPROVAL OF SPECIAL EVENT APPLICATION – SAUCON VALLEY YOUTH LACROSSE DAY

Ms. deLeon said Council will review the event application for Saucon Valley Youth Lacrosse Day to be held on Saturday, May 4, 2024 at Polk Valley Park. Would there be a motion?

MOTION BY: Ms. Opthof-Cordaro moved for the approval of the Special Event application for Saucon Valley Youth Lacrosse Day on Saturday, May 4, 2024 at Polk Valley Park.

SECOND BY: Ms. deLeon

Ms. deLeon said Council discussion, Jason. Mr. Banonis said no he thinks it's great that youth Lacrosse will be holding that event. Ms. deLeon said Tom. Mr. Carocci said no comment. Ms. deLeon said she thinks it's a great program also. Victoria? Ms. Opthof-Cordaro said she seconded or made the motion she doesn't remember, but she thinks that the Lacrosse teams coming and using our park for this particular event and she looks forward to it. Ms. deLeon said public comment. May we have a roll call please.

ROLL CALL: 5-0

E. DISCUSSION AND POSSIBLE ACTION ON TOWNSHIP BUDGET ENACTED IN VIOLATION OF PA LAW/SECOND CLASS TOWNSHIP CODE

Ms. deLeon said this agenda item was requested by Mr. Banonis. She'll turn it over to him. Mr. Banonis said thank you. The last Council meeting was fairly late in the evening when they got to this or early in the morning. He wanted to go over what took place at the last Council meeting. Specifically, the approval of an amended proposed, an amended budget by Priscilla deLeon, Laura Ray and Victoria Opthof-Cordaro. Cathy had shared with him and commented during the meeting that the budget that was approved was inaccurate in that it reflected a million-dollar allocation for paving project at Cherrywood, which in fact was bid and came back at about \$380,000.00 so the budget, the proposed budget was off by \$620,000.00. He had highlighted that multiple times during the meeting and prior that the budget was inaccurate. Those who on Council knew that it was inaccurate but yet they voted to approve that budget. In addition, he also pointed out that he thought it was illegal for the Township to raise taxes while it was sitting on \$9 or \$10 million in reserves and he felt that the appropriate reserve level should be 25% of the future year's expenses. Cathy confirmed again that the amount that was being held in reserves was \$9 or \$10 million and that 25% of those expenses would be roughly \$2.7 million. So, the majority of this Council voted to approve a budget and to take more taxpayer money, while they were already hoarding taxpayer money and he highlighted during the meeting the various violations that took place. One was Section 3202 of the Second-Class Code, Section 3202 of the annual budget says a Township shall not prepare and advertise notice of a proposed budget when it is knowingly inaccurate. Again, the Township shall not prepare and advertise notice of a proposed budget when it is knowingly inaccurate so it's beyond challenge that this Council knew that the budget was knowingly inaccurate. Again, it was off by \$620,000.00. That's not a couple of dollars. It's hundreds of thousands of dollars, more than a half million dollars of taxpayer money but yet this Council chose to proceed with that. Then we look at Section 1508.1, the Second-Class Township Code it says Sub-Part B, the Board of Supervisors may annually make appropriations from the General Township Fund to the Operating Reserve Fund but no appropriation shall be made to the Operating Reserve Fund if the effect and the appropriation would cause the fund to exceed 25% of the estimated revenues of the Township's General Fund in the current fiscal year. So again, there's a 25% threshold. So, then we move on, the duties of

board and supervisors, Section 607, the members of this Council are charged with the governance of the Township and the execution of legislative, executive and administrative powers in order to ensure sound fiscal management and to secure the health, safety, and welfare of the citizens of the Township. That's under Part 1. Part 7, perform duties and exercise powers as may be imposed or conferred by law or the rules and regulations of any agency of the Commonwealth. So, then we look at consequences of this. Section 3501, Violation of Act Generally Penalty, any Township supervisor elected or appointed Township official or employee, roadmaster or contractor or any other person, including any corporation, officer or employee who violates any of the provisions of this act other than those whose specific penalties are provided or fails to carry out the provisions of this act commits a summary offense. Commits a summary offense. All fines collected for violations of this act shall be paid to the Township Treasurer and credited to the General Township Fund. So, they talked about this at the last meeting, and made a motion to direct the police to investigate. That motion was voted down by Priscilla deLeon, Victoria Opthof-Cordaro and Laura Ray, perhaps to cover up more malfeasance. He doesn't know. So, his question is, Mark, have the police responded to him and provided him any information concerning their investigation of what has been brought to the attention of the police. There was a police officer here at the last meeting and he forgets who it was. Mr. Carocci said Bartholomew. Mr. Banonis said thanks Tom, Officer Bartholomew. Has that, is there a police investigation underway to the extent he can speak to it and let's answer that question first. Mr. Hudson said no, the motion was voted down. Mr. Banonis said okay. Is there a requirement for the police to conduct an investigation that they must have a motion and approved by majority of this Council? In other words, if there's a murder that takes place in the Township, do they have to vote to investigate the murder.

Mr. Goudsouzian said pardon him. He doesn't think that's a fair question for the Manager to answer. He means if it's a question for the police as to what they can and what they cannot do, putting the Manager on the spot like this is not, that's not his purview. Mr. Banonis said well he oversees the Chief of Police, right Mark, correct. Mr. Hudson said correct. Mr. Banonis said you're his boss, right. Mr. Hudson said yes. Mr. Banonis said okay. Has he had any discussions with the Chief of Police as to whether or not that is going to be investigated? Mr. Hudson said as he said the motion was denied. Mr. Banonis said he understands the motion was denied. He's asking him did he independently have any motion that was not approved by this Council...Mr. Hudson said they discussed it a little bit, and that's not a situation that the Township police would investigate. It would be an Attorney General or maybe the DA. Mr. Banonis said how about the State Police. Do they have to go to the State Police because the LS Police won't investigate a summary offense that was clearly a violation of those various acts that he just talked about? Mr. Hudson said he doesn't know that the State Police would also either, he can't answer that. Mr. Banonis said alright, let him ask him this. The Township has insurance, correct. Mr. Hudson said yes. Mr. Banonis said okay. You are the person who provides notice to the Township's insurance carrier about potential claims against the Township, correct. Mr. Hudson said correct. Mr. Banonis asked if he has placed the Township insurance carrier on notice of potential claims resulting from the violations that he just spoke about specifically passing a knowingly inaccurate budget, as well as enacting a budget that held in reserves greater than 25% of the projected expenses. Mr. Hudson said no. Mr. Banonis said okay. He's going to make a motion.

MOTION BY: Mr. Banonis moved to direct the Township Manager to place the Township insurance carrier, on notice, of potential claims related to the aforementioned violations.

SECOND BY: Mr. Carocci

Ms. deLeon said there's a motion and there's a second on the floor. Can they have discussion? Jason, does he have anything else to add. Mr. Banonis said he believes it's appropriate to put the Township insurance carrier on notice. The reason why he believes it's appropriate is because if they fail to provide timely notice to the insurance carrier, that they could deny coverage for any potential things that would be filed against the Township and as a result of that the Township taxpayers will be further burdened by having to pay any judgement or settlement that would arise from any claims or litigation related to those violations and claims resulting from the violations.

Ms. deLeon said Tom. Mr. Carocci said he agrees. There is certainly no harm in notifying the insurance company, none whatsoever. It could be very beneficial to taxpayers to notify them in a timely manner.

Ms. deLeon said okay, Victoria. Mr. Opthof-Cordaro said thank you. She just wants to confirm what the solicitor, this isn't something, they don't have any current litigation that's before them, anybody, you know, anything that they received Mark, did anybody file anything. Mr. Hudson said no. Ms. Opthof-Cordaro said okay. We said it last time, they'll say it again, this is just a waste of all of your time and she's sorry and is inclined to vote no.

Ms. deLeon said Laura. Ms. Ray said she doesn't have any particular comment regarding notifying an insurance carrier for whatever potential claims. I have other comments, but not on that motion.

Ms. deLeon said okay, she'd like to open it up for public comment, anyone in the audience would like to speak to this issue, this motion.

Ms. Andrea Wittchen said they have a very highly paid Director of Finance, has she admitted that she put forth a budget that was not correct. She hasn't heard her say that. Did she not prepare the budget that was advertised and was voted for by the Council? Was that not her responsibility as her job? Did she not do her job properly? She kind of doubt that. She'd also be interested to know where exactly Mr. Banonis' credentials come from regarding financial, corporate financial stewardship. She has been a Chief Financial Officer. She'd match hers against his any day. This is bologna and it's a waste of our money. There is nothing to report to the insurance company because there has been no investigation. There has been no proof or indication that anything that has come out of his mouth is true and unless you are about to claim that Mrs. Gorman didn't do her job, or did it incorrectly, she would suggest that you drop it now. Ms. deLeon said thank you. You are out of order you can't be doing that. Okay, next.

Someone said most interesting. Ms. deLeon said your name for the record. He said it's still...Ms. deLeon said but the tape doesn't know that. He said it's still Dave Boulton and no, he's not running for office, even though somebody else has taken his phrase. He finds it interesting that once you gain control of the Council it appears as though you can do anything you want and if people make motions you do not like, you just snuff them out, whether it's right or wrong.

Ms. deLeon said okay, thank you Mark. Please state your name for the record.

Mr. Mark Ozimek said he's back again. Speaking to the comments that they just heard. Oh God, help us. As far as making motions and doing whatever you want, when you become a person on Council or the Council President, somebody should go back and look at the last two years or more, however long it's been and you'll get a real good view of the actions of Mr. Bananas. Mr. Banonis said it's Banonis, Sir. Mr. Ozimek said so his thing of coming up here now this time after that little spizazo, is that Mr. Banonis wants to contact the insurance company and he wants to contact the State Police and he wants to contact the Attorney General. His question to you is are you going to go to them and tell the truth. Are you going to tell them you were President of Council and you did nothing about it for two years?

Ms. deLeon said okay, anyone else, roll call please. Mr. Hudson said Ms. Ray how do you vote. She said she's not sure what they are voting on here to send the letter to the...Mr. Hudson said to the insurance agent to letting them know the budget may have been passed. Ms. Ray said she votes no.

ROLL CALL: 2-3 (Ms. deLeon, Ms. Ray, Ms. Opthof-Cordaro – No) – Motion does not pass.

Mr. Banonis said he hasn't yielded so he'll continue on. He has an email which he brought up at the last Council meeting. This is an email from Steve Goudsouzian the Interim Township Solicitor. It's captioned legal opinions for February 7, 2024 meeting, and he had asked him in an email prior day, he said "Hi Steve, with regard to business items B., C., and D., on the February 7, 2024 agenda, please advise in your legal opinion as interim solicitor if each item passes legal muster, both procedurally and

substantively, if voted for approval by the majority of Council. Also, please advise if the budget and taxes approved by prior Council in December 2023, remains in effect until any new budget is approved. What effect, if any, the December 2023 approved budget has on Township expenses or obligations incurred and/or paid from January 1, 2024 until any new budget is approved and how any payments made so far in 2024 are reconciled with any new budget. Thanks, Jason.” And he responded with “Jason based on the Lower Saucon code provisions for the budget are addressed in Sections 5-14, which is attached, 53 PA Consolidated Statute Annotated 68202 of the Second-Class Township Code is also attached. The provisions of both are somewhat similar. I have not reviewed the budget documents or the process in detail. That being said, there is nothing that would suggest a legal or procedural deficiency. If there is a specific question or concern that you have regarding procedure? If there is a specific concern you have, please let me know. There is nothing that I am aware of that would prevent voting tonight. The amended budget, must be adopted by February 15. Majority of Council’s vote would be controlling, for example a 3-2 vote would be controlling. The existing budget remains in effect until it is amended. If once the budget is amended, the amended terms control no adjustments would have to be made for payments made. I believe a breakdown as to what the amended budget would change has already been provided to members of Council; however, I have enclosed another copy for you and there’s a link to the 2024 amended budget on the lowersaucontownship.org website, it’s a pdf. Thank you, Steven N. Goudsouzian.” So, he guesses his question to Mr. Goudsouzian is, he was providing legal opinions in that email, has he placed his legal malpractice carrier on notice on potential claims arising from the items that he just discussed, specifically the lack of opinion that this Council was passing a knowingly inaccurate budget and also that this Council was passing a budget in violation of the Second-Class code that permits reserves of only 25% of the subsequent year’s expenses.

Mr. Goudsouzian said that’s your question. Mr. Banonis said that’s his question. Mr. Goudsouzian said no. Mr. Banonis said since this Council presumably acted upon the advice of counsel, or the lack of advice from counsel, and where he admits in his email that he has not reviewed the budget documents or the process in detail, he would make a motion.

MOTION BY: Mr. Banonis moved that Mr. Goudsouzian places legal malpractice carrier on notice of potential claims resulting from the advice or lack of advice that he provided with regard to the budgeting process and approvals that were provided by Priscilla deLeon, Victoria Ophhof-Cordaro and Laura Ray on February 7, 2024.

SECOND BY: Mr. Carocci

Ms. deLeon said we have a motion on the floor, Jason made it and Tom second it, and we’ll have discussion, Jason do you have anything else. Mr. Banonis said he believes it is appropriate for the solicitor to place his legal malpractice insurer on notice so that the Township taxpayers are not exposed if there is any claim or litigation that arises from this process. The Township solicitor’s role is to provide legal advice to members of this Council. The Township solicitor’s role is to try to keep the Township out of legal peril and litigation and claims and to protect the taxpayers and their dollars and he believes that did not take place here, so therefore he believes it’s appropriate for Mr. Goudsouzian, even though he knows the majority of Council has already refused to place the insurance carrier for the Township on notice of the potential claims, thereby potentially subjecting the Township residents to needless exposure. It doesn’t cost anything to place the carrier on notice to have them investigate to determine whether or not they are going to provide coverage and whether or not there’s a basis to defend those claims. There’s no cost in that whatsoever but he guesses egos are more important than the Township taxpayer dollars.

Ms. deLeon said Tom? Mr. Carocci said from what he’s seen so far from our interim solicitor, he thinks he should put his malpractice insurance on notice from what he’s seen in the past few meetings.

Ms. deLeon said she disagrees. Victoria? Ms. Ophhof-Cordaro said again she apologizes to the residents for having to sit through this. She’s inclined to vote no.

Ms. deLeon said Laura. Ms. Ray said yes, she doesn't think they need to be directing the solicitor whether he needs to contact his carrier or not, that would be his decision, so. Ms. deLeon said now she'd like to open it up to the audience, public comment please.

Mr. Bruce Petrie said he'd like to say that the Council as Mr. Banonis read is responsible for the welfare of its citizens but when he was in charge of the Council as its President, he doesn't remember seeing any requests for water quality, geological surveys on the expansion of the landfill, that was going to denude 275 acres of mature forest. Mr. Banonis said what does this have to do with the solicitor putting himself on notice. Ms. deLeon said she's allowing it. Mr. Carocci said it's not 275 acres, he knows that. Ms. deLeon said go ahead Bruce, sorry for the interruption. Mr. Petrie said he is used to it and the other thing is too, Mr. Banonis, he's making decisions as though he's the Judge and he knows as an attorney, you don't get to interpret the law, the Judge does. So don't sit up here and say it was against this and against that and for this and for that. The Judge decides that. Now he can have an opinion, legal opinion, but don't sit there and make it sound like it's the law because it ain't. Ms. deLeon said thank you Bruce. Mr. Banonis said well he did read the law, Sir. Mr. Carocci said he read the law. Ms. deLeon said your name for the record please.

Mark Ozimek said he guesses apparently, he needs to read more law. Mr. Carocci said abide by it. Mr. Ozimek said Graterford was a wonderful place. Anyway, with the comments that Jason made, about contacting the insurance company, and the solicitor contacting his insurance company and putting them on notice that there could possibly be action taken against them for things that they do or they don't do, sounds to him, personally, this is the way he takes it, that your using scare tactics against the insurance company and they are going to look at the Township and they are going to look at Mr. Goudsouzian and they are going to say, do we want to insure these people next year. You are trying to scare them off. He means why don't you contact Mr. Policeman there, he can't see his name, and put him on notice and say you are going to go to the club after you leave here tonight and get intoxicated and he should sit and wait around the corner and bust him for DUI. Mr. Banonis said maybe run somebody down on the road too. Ms. deLeon said that's out of order. Mr. Ozimek said what was that. Ms. deLeon said that was out of order. Mr. Ozimek said he didn't hear that, can he repeat it. Ms. deLeon said it was out of order. Mr. Carocci said Gavel Nazi. Mr. Ozimek said anyway, for the citizens of LST he hopes they are smart enough to pay attention to what this man is doing and what comes out of his mouth. Ms. deLeon said anyone else, okay, may we have a roll call please.

Mr. Bob Blasko said Mr. Banonis wants to talk about a surplus. This isn't the first year that there's been a surplus but this is the first year he's talked about giving it back all of a sudden. Mr. Carocci, you suggested and they presented, when Priscilla presented a DEP letter and they suggested and took a vote on all the people they thought it should be sent to. He got a suggestion. As you said to them on the list of people that he wants to notify about their claims, he and Mr. Banonis, why don't they put Biden-Harris on it too. While you are at, just a suggestion. Mr. Banonis is used to the people in his inner circle taking what he says as the oracles of God. There's one difference. God tells the truth. He's got others but that's enough for tonight.

Ms. deLeon said thank you, anyone else. She believes the motion on the floor is to notify your malpractice insurance carrier, that's the motion. Mr. Goudsouzian said that is the motion. Ms. deLeon said can we have a roll call please.

ROLL CALL: 2-3 (Ms. deLeon, Ms. Ophhof-Cordaro, Ms. Ray – No) - Mr. Banonis said any vote against this is just another cover up, just yet another cover up so he's voting yes. – Motion does not pass.

Mr. Banonis said okay, he hasn't yielded yet. As he recalls it was either at the January 2nd, 11th, or the 17th meeting where the newly elected Controller, Lynn Hill, offered some figures that he questioned that were very sketchy in his mind as to her views of what the Township budget is and that there's a need to increase taxes, but at no time did she raise any concerns about knowing inaccuracies of the budget, in fact he brought that up to her and he believes there was a resident that stood at the podium and said the budget was off by \$620,000.00, which was almost 10% of the Township budget. So, she didn't bring

that up and he believes as a Controller, she should have. In addition to that, she didn't bring up the topic of the reserves being in excess of the 25%. He doesn't know if she has insurance for her Controller duties but he would ask that if she does, that she place the insurer for her Controller responsibilities, any E & O carrier or any other carrier that would provide coverage for her duties as the Controller, to immediately place that carrier on notice of the potential claims against the Township for the knowingly inaccurate budget as well as the reserves in excess of 25%. Mr. Carocci said is that a motion. Mr. Banonis said that's a motion.

MOTION BY: Mr. Banonis moved to ask that the Controller, Lynn Hill place her insurance carrier on notice as stated above.

SECOND BY: Mr. Carocci

Mr. Carocci said is she bonded. Is the Controller bonded? Mr. Banonis said so she is bonded. *Someone from the audience said she was.* So, there we go, so that's a plus. Again, his reason for this is again to protect the Township residents and taxpayers from litigation so that there is coverage there so they don't have to pay for this nonsense out of pocket. Ms. deLeon said okay, Tom. Mr. Carocci said he agrees, exactly, to protect the Township.

Ms. deLeon said her opinion is she does not agree. Victoria? Mr. Banonis said why don't you agree. Ms. Ophhof-Cordaro said she's really sorry to everybody. Mr. Goudsouzian said they are not doing that. Ms. Ophhof-Cordaro said she's really sorry for everybody to hear all these motions. She hopes they can get through the rest of the agenda. She's inclined to vote no.

Ms. deLeon said Laura? Ms. Ray said yes, as with the other proposals...Mr. Carocci said so if you want to speak Jason, feel free to speak. Ms. deLeon said Laura is speaking, she's asked you to...Ms. Ray said she...Ms. deLeon said Laura speak a little louder please. Ms. Ray said as with the other proposals, she doesn't see a need to be placing insurance carriers on notice for any reason.

Mr. Carocci said Jason if he wants to speak again, there is no rule that says a Council member can only speak once. It's not in the policy and the procedures. Mr. Goudsouzian said however there is a rule that allows the Township, the President of Council to control the meeting. Mr. Carocci said that's right and he is an elected official that can speak...Ms. deLeon said out of order Tom. Mr. Carocci said he's talking to the President. Mr. Goudsouzian everyone on Council has an opportunity to be heard. Everyone has been heard. Mr. Carocci said they can be heard more than once. Mr. Goudsouzian said that is only your, that is a subjective and incorrect interpretation. Mr. Carocci said it doesn't say anywhere that they can't be heard more than once. Mr. Goudsouzian said correct, exactly. It allows the President to control how the meeting goes. Mr. Carocci said it doesn't. He didn't vote for those procedures. He didn't vote for those procedures and he didn't agree for those procedures when he took the oath of office. Ms. deLeon said you are out of order. Mr. Carocci said he didn't agree to those procedures when he took the oath of office. Ms. deLeon said it's her prerogative. Mr. Carocci said it's not her prerogative. Ms. deLeon said it's her prerogative and her prerogative is to call open in the meeting to call for public comment. So anybody out there would like to speak. Mr. Carocci said he don't let a Gavel Nazi talk you down. Ms. deLeon said call her whatever he wants. Okay.

Mr. Bruce Petrie said he thinks the Council should adopt a rule that says members get one...Ms. deLeon said one turn only. Mr. Petrie said that's it. This is ridiculous. Ms. deLeon said yes, it is. Ms. deLeon said next agenda item. Mr. Carocci said Vladimir deLeon over there wants to keep people's comments to a minimum. Ms. deLeon said Tom you are out of order again. Mr. Carocci said okay Vladimir deLeon.

Ms. deLeon said Mark. Mr. Ozimek thank you Bruce, he's back again. Mr. Banonis wants to state about notifying insurance company and is Lynn bonded so it doesn't cost the taxpayers any money. Well, Mr. Banonis, how much money did he cost the taxpayers with frivolous lawsuits against the library. Mr. Banonis said none. Mr. Ozimek said really, the taxpayers ain't hanging on the bill for that. Not at all, it came out of his pocket. Mr. Banonis said there is nothing frivolous about...Mr. Carocci

said it's a fraud cover up. Mr. Ozimek said we doesn't know if it's fraud. We don't know if there's a cover up. Mr. Banonis said and we may never find out. Mr. Carocci said the solicitor is going to cover it up. Mr. Ozimek said you're a fraud. Mr. Goudsouzian said hold on, hold on. If you want to make your comments, make your comments. Mr. Banonis said he's going to make a personal attack, are you going to do that, follow the rules or are you just going to selectively...Ms. deLeon said she's going to...Mr. Ozimek said he got the floor, shut up. Ms. deLeon said whoa, whoa, come on guys. You, I was going to but you interrupted her, okay. Mr. Banonis said he didn't interrupt her. She sat there with a dumb look on her face. She's dumbfounded by what you saw in front of you. Mr. Goudsouzian said okay, let's rewind...Ms. deLeon said she'll continue and he will call people's names. Okay, Mark please, you cannot say stuff like that. She's asked him before and she can't keep asking him. He can't say stuff like that. Mr. Ozimek said but it's not a lie. Ms. deLeon said she doesn't care. You cannot come to this podium in this Council room and disobey the rules, okay, please. She's asking. Mr. Ozimek said okay, he needs lawyer lessons on how to rephrase that because some people go to other people and just blatantly lie and get them charged with crimes they didn't commit.

Ms. deLeon said okay anyone else. So they've had public comment, they need a roll call now. Mr. Hudson said Mr. Banonis how do you vote. Mr. Banonis said they've just saw Mr. Goudsouzian serving the roll of attack dog for Priscilla that was interesting, but what we didn't hear is any explanation for their actions in taking those votes and they haven't heard any explanation from them why they wouldn't put on notice the Township's insurance carrier, direct the solicitor to put his insurance carrier on notice or the Controller to put her insurance carrier or bonding agency on notice. Ms. deLeon asked and where is that written. Mr. Banonis said he's going to; he's going to vote yes.

ROLL CALL: 2-3 (Ms. deLeon, Ms. Opthof-Cordaro, Ms. Ray – No) – Mr. Carocci said he's going to agree with Jason that our solicitor is just Priscilla's tool and he votes yes. – Motion does not pass.

Ms. deLeon said are you finished with this agenda item. Mr. Banonis said he's finished with it for the moment for purposes of this meeting, but this issue is not done. Ms. deLeon said okay, moving on.

F. AUTHORIZATION TO PREPARE REQUEST FOR PROPOSAL FOR A TOWNSHIP SOLICITOR

Ms. deLeon said this was again requested by Mr. Banonis, so she'll turn it over to him. Mr. Banonis said yes, they had a solicitor, and they got rid of the solicitor. A solicitor for 23 years. Then they got an interim solicitor who lasted all of, what 15 days – 16 days. Mr. Carocci said he was permanent though. He was a permanent solicitor. Mr. Banonis said and how we have Mr. Goudsouzian who is retained as an interim solicitor who is more permanent than the last permanent solicitor. He brought up when Mr. Goudsouzian was here to be, to apply for, he guesses that's being generous, to go through the ceremony of applying for this when it was already handpicked. All the concerns that he had, and in the interest of everybody's time, he's not going to go over that. If you are interested in that, you can go back to that January 17th meeting, he's sorry not January 17th, it was the emergency meeting that was called on January 24th. Ms. deLeon said it was a special meeting, it wasn't an emergency meeting. Mr. Banonis said special meeting. So, since then there has been no effort to remove that interim tag. There's been no effort to identify a new permanent solicitor and to send out a request to anybody who might be interested in that position and may be qualified. They've already seen tonight in Executive Session, Mr. Goudsouzian has undertaken actions, unilaterally or perhaps at the direction of one or some, but not a majority of Council. They've seen that this Council has engaged in violation of the Sunshine Law by talking about topics in Executive Session that were not appropriate. They know from the email that he read earlier that Mr. Goudsouzian has provided them with bad legal advice with regard to the budget and knowing the inaccuracy of the budget as well as the retaining greater than 25% of the reserves. He believes it's time to move on and to identify a permanent solicitor that can properly and adequately represent the Township's interest. He's talked about this before. Mr. Goudsouzian, while he's perhaps a fine attorney in the matters he deals with, he's a solicitor for boroughs not townships. You know the Borough code is much different than the Second-Class Township code. He also has a conflict here with regard to his representation in the Borough of Hellertown. They talked about the conflict of interest. You know, he has some familial bias he believes that they talked about previously, and he's now been

tasked to undertake steps on behalf of the Township that he believes placed him even more deeply in a conflict of interest. Because of that, he thinks it's appropriate for this Council to follow through on what it suggested it was going to do at that meeting and that is to look for a permanent solicitor who will serve in a permanent role as solicitor and provide quality unbiased opinions, legal opinions, that will help to protect the Township taxpayers. You know, if the majority of this Council is unwilling to do that, it's just yet another example of the lack of transparency and the lack of honesty to the public. Yet again, they create the illusion that Mr. Goudsouzian's status is going to be interim, but yet they really, when they did that, they really apparently had no intention to move forward and find a full-time replacement solicitor and he believes that's misleading to the public and all those individuals who were here to hear about that topic and he thinks that the public should raise questions about this Council's honesty toward them in that matter as well as many other matters. That's all he has.

Mr. Carocci said when you go back to that January 24th special meeting, it was to appoint an interim solicitor and to prepare an RFP for a Township solicitor, which wasn't even done in the beginning of the year. There was no...Mr. Banonis said Tom, let him interrupt him. He's going to make a motion.

MOTION BY: Mr. Banonis moved for the Township Manager to advertise for a permanent solicitor on behalf of the Township.

SECOND BY: Mr. Carocci

Mr. Carocci said again, in that January 24th meeting on the agenda was the appointment of an interim solicitor and to put a proposal together for a permanent Township solicitor to be advertised, which wasn't done in the beginning of the year when they had that solicitor that lasted 16 - 17 days, can't even remember his name now and...Mr. Banonis said Mark Freed. Mr. Carocci said Freed, and that was the assumption of appointing Mr. Goudsouzian and then this would be advertised and put out there and there would be a proposal. You'd hope that you get multiple replies to the proposal for people who would do it and what they would charge per hour. That hasn't been done. That was really on the agenda on the 24th as part of this interim appointment and all he thinks this motion is doing is really just asking that this be done so they can see what's out there and that the Township can get the best solicitor for this particular Township hopefully one with some experience and knowledge of being a Township solicitor. It was his understanding that Mr. Goudsouzian never was, he was a solicitor for boroughs, he guesses. So, he seconds the motion and he would ask for anybody that thinks about voting no, what are they so afraid of if Mr. Goudsouzian applies and is put in with the other candidates and he's the best candidate. He assumes he would be appointed, but he doesn't know what they are so afraid of to advertise it and request proposals.

Ms. deLeon said okay, she disagrees, Victoria? Ms. Opthof-Cordaro said...Mr. Banonis said why? Mr. Goudsouzian said that's inappropriate. Hold on, that's inappropriate and he knows it's inappropriate so stop doing it please. Mr. Banonis said he has a right to ask why. Mr. Goudsouzian said he does not. Mr. Banonis said sure he does. Mr. Carocci said you can always ask questions. They are an open Council here and Mr. Goudsouzian doesn't run the meetings, the President does. He doesn't know why he thinks he does. Somebody is getting a little frustrated...Ms. deLeon said Tom again, you are out of order. Victoria? Ms. Opthof-Cordaro said thank you, she again apologizes to the residents that we have some redundant agenda items that have been addressed earlier in the year and she's inclined to vote no. Mr. Carocci said why. Mr. Goudsouzian said again, that's inappropriate.

Ms. deLeon said Laura. Ms. Ray said so you are cute with the why question because let her say there was everything happened in the last couple of years, they never got a "why" answer so, that's what they get also. She doesn't know why. She is not inclined to change solicitors at this point because there's been so much turmoil and they need to kind of have something steady for some period of time until they can get things accomplished.

Ms. deLeon said at this time she'd like to open it up to the public. Kathy Pichel-McGovern said she has so many things to say; however, she believes the Borough of Hellertown just posted that he will be resigning from the ZHB, is that correct. Mr. Goudsouzian said he's not going to answer those questions.

She can tell them whatever she likes. Ms. Pichel-McGovern said she believes she saw this that he is resigning from the Borough of Hellertown. She hopes as a citizen, she hopes to represent them. She believes that is correct. Jason, for him to imply familial bias, when Jennifer Zavacky and Mark Inglis was on this Council is embarrassing. The way you treats his own Council members is deplorable. He needs to set a new motion or whatever it is, you get one chance to talk and they get their 3-minute limit that they had imposed on us. Thank you. Mr. Carocci said this sounds like something that happens in Russia. Ms. deLeon said anybody else. Mr. Carocci said in Russia you get one opportunity to talk.

Kathy Pichel-McGovern said in her line of work, if she uses a comment that is disrespectful, she will be fired. She understands that they are volunteers but tonight she heard, these are quotes – “dumb ass Council”, last two weeks ago it was “a stupid question from a stupid person” and tonight she heard “Vladimir deLeon” and she believes she heard the word “Nazi” twice. To her, that person should be removed from this Council. Mr. Banonis said the dumbfounded look Ma’am...Ms. deLeon said okay Bob.

Mr. Bob Blasko, LST resident, said he knows they are not supposed to ask questions but he can't help thinking to himself as he sits there that Mr. Goudsouzian knows the law and knows it very well. He's sure that he is familiar with this rule 1.7 conflict of interest that Mr. Banonis brought up earlier but again, as usual, Mr. Banonis was cherry-picking, something he often accuses others of doing yet he refused to read the whole thing. The questions he has are regarding that but he's sure Mr. Goudsouzian could figure out what they would be and that he would answer in the affirmative that he feels that he could reasonably represent both clients at the same time, without prejudice. That's only one of the three or four exceptions to the rule that Mr. Banonis brought up. Mr. Goudsouzian was accused of being Priscilla's attack dog, he believes it was by Mr. Carocci. How many of them sitting in this room can remember how Linc Treadwell jumped into the rink for you, Mr. Banonis at different times. There is a certain time limit that an interim solicitor has to commit one way or the other from his understanding and he doesn't believe Mr. Goudsouzian has reached that time limit, so he doesn't know what Mr. Banonis' big hurry is. And another question he would have which he knows isn't going to be answered, but he doesn't recall any law being mentioned that states that an interim lawyer cannot become the permanent solicitor. He really seen no reason to advertise but he sees no problem with it either because he's sure that Mr. Goudsouzian, from what he's seen and others in this room and others on Council agree, that he's quite capable of handling it. Mr. Banonis, perhaps if he hadn't walked out as he so often does, may have heard Mr. Goudsouzian testify to Mr. Carocci that, of course, you hit a horse where it hurts and it bucks. You know what he means. Mr. Carocci, now his train of thoughts gone, son-of-a-gun. Oh well, he's got enough other notes to go over. Priscilla, he knows they are not supposed to answer and they aren't supposed to be going back and forth, he doesn't recall Council or any motions that Council should notify insurers in the past when lawsuits were involved, HAL, etc., etc. One of the meetings recently, Mr. Carocci in one breath was interrupting Priscilla as he was all this evening and in the next breath when she said well, Tom, you know you are supposed to be obeying and the next breath he said he thought he was. You knew you weren't Tom. You knew you weren't. Mr. Carocci said what did you say? Mr. Blasko said Priscilla said that he was speaking above others, he was speaking out of turn and that he was interrupting. Mr. Carocci said he heard that part. Mr. Blasko said okay, and in the next breath or so when she reprimanded you for doing that and interrupting and speaking out of turn, you said oh, but I thought I was. Mr. Carocci said he was what, he thought he was what? Mr. Blasko said obeying the rules and not interrupting and doing...and you did buddy because he just watched it again today. Mr. Carocci said he always obeys the rules, he always obeys the rules. Mr. Blasko said he lost it again today, Tom. Ms. deLeon said one at a time. Mr. Blasko said you got some prizes coming because this fellow sitting here and you and you are not the only ones that can sit down and read the minutes or sit there and watch the You Tube videos of the meeting. Mr. Carocci said one thing he is, is a rule follower. Ms. deLeon said next.

Ms. Ginger Petrie said the only thing she has to say is that she wishes the Council luck in trying to hire a different solicitor because any person that would even consider to apply, for the job, all they have to do is listen to the last three or four meetings and they might actually decide that you wouldn't possibly pay them enough money to put up with the crap that is going on in this room. That's all she has to say.

You better dig deep into your pockets because you are really going to have to pay for somebody to put up with this abuse and the abuse you are giving that gentleman, is wrong. He's just as smart, if not smarter, than everyone else in this room and he should be respected and remember one more thing, the women that are up here were picked with a bipartisan election and so those of us that are Republicans would like their Republican representatives to act just as respectful as the Democrats. Thank you.

Ms. deLeon said okay, Mark is he coming up again. He has to remember what she told him before. Please. Mr. Ozimek said he did say he would try; he would do his best referring to the last... Ms. deLeon said she understands. Mr. Ozimek said well he wasn't the first one to bring up the word. The point in this right here is maybe Mr. Banonis is jealous and he wants the solicitor's job. Mr. Banonis said no thanks. Ms. deLeon said anybody else before they do the roll. Mr. Carocci said he's over qualified for it, Jason, sorry. He wouldn't vote for it. He wouldn't vote for Jason.

Mr. Dave Boulin said he would say that anybody that sits in that solicitor's chair should be 100%, should not be failing and when it comes time to making judgments on, are you in conflict or not, he really has to laugh at some of the things that were said here tonight. He won't say anybody was stupid or whatever not but clearly, he thinks if it's not direct conflict, it clearly is the appearance of conflict and that's just as bad and you can read that in the PA statutes and if solicitors, if you want, he will be more than happy to point that out to them, okay. Now, let's just say this for a second. He knows of two people on this Council that are not paid, not paid okay. They give their expertise and time free. They don't get paid, alright. The other ones have made either large sums off the town of Lower Saucon or the Township of LS or are attorneys and really should know better but they sit there and they somehow all of that gets pushed away when it gets time to make a legal decision. Their knowledge or lack thereof just gets pushed way and that's what he was referring to earlier if the Council doesn't understand what he's saying and he'll speak about that because Ms. deLeon has been good enough, as the Chair President, to give him time at the end to speak and he will be the last one to speak, he doesn't care if it's 5 in the morning. Alright, now the other thing... Ms. deLeon said okay. Mr. Boulin said if you have something to say. Ms. deLeon said okay, audience, audience members please. Mr. Boulin said she needs to control them. She's really tired of somebody over here giving him the finger all the time. You know, really. Ms. deLeon said she did not see that, she did not see that. Mr. Boulin said well he'll show it to her on the video. Ms. deLeon said knows what a finger looks like. Mr. Boulin said oh yea, well maybe he should, he won't go there. He won't degrade himself. Anyhow, she just stole a few more of his minutes. Ms. deLeon said he can have more, she's sorry. Mr. Boulin said he wants to be heard. He doesn't want to be disrespected and he would like the President of this organization and the solicitor, he noticed how he jumps in every now and then, to make, to quiet the public down, well, maybe it's only my side of the house that he quiets down. Maybe it's only your side and if you don't want transparency, you keep doing what you are doing. Okay, and he was very happy with you and the homeowners, anyhow, he's lost his thought on that. But what he will say though is we all need to be a little bit more civil and he certainly am not the epitome of it, but the does try hard. He doesn't sit there and laugh at people and give them the bird and whatever, so let's, you, the Chair put the hammer down on that instead of everybody else. He enjoys hearing what each of the Council members say. He would love to hear with the Vice President has to say but she's very quiet, that's okay, she votes and he'd also like to hear about the other attorney that sits on the board here. He'd like to hear her thoughts and opinions. He did notice that she recused herself when her sister was marginally involved and he'll talk about that at the end. Thank you very much. Ms. deLeon said thank you, anyone else from the public.

Mr. Banonis said he has some emails he'd like to read from the public, one is from Oscar Gray, "Township Attorney Conflict of Interest. I believe Mr. Banonis is 100% correct about conflict of interest particularly since we have ongoing legal battles with Hellertown. It doesn't matter if it's Zoning Board, it is Hellertown. Hellertown pays him. Hellertown influences him. That's the point. This is not good. This is corruption." There's another one from Mr. Gray, "It's egregious to drop the Hellertown Library Common Pleas RTK case. HAL is absolutely 100% guilty of fraud. I know this first-hand for a fact so you are allowing fraud." There's one from Gina DeSantis captioned "Council meeting, Mr. Banonis is 100% right about the library HAL. There is no reason for them to not provide records as they were told to do by the Office of Open Records. They are hiding things. It is clear." He said there is another one

from Gina DeSantis “HAL Committing Fraud. The proof that they did commit fraud is they stopped providing those discounts to Friends members once it was brought to their attention. Fraud to the book vendors by buying books for Friends members under the pretext of being for a public library, huge library discount and fraud to the state tax collector. They stopped providing this Friends member benefit once someone made a public record request about it and that is why it is important that the Common Pleas RTK law case continue. Don’t let them get away with fraud.” Ms. deLeon said does this have anything to do with the RTK, with the RFP. Mr. Banonis said because Mr. Goudsouzian provided them with legal advice to those issues. Ms. deLeon said she disagrees. She disagrees. Let’s do a roll call please. Mr. Banonis said there’s Priscila shutting down the residents. Mr. Carocci said exactly, gavel. Mr. Banonis said gavel the resident, who isn’t even here. Mr. Carocci said he made it a point his wife was on the library board when that was going on and now they want to settle. They want it to all go away. They want to put it, they want to cover it all up, cover it all up. Ms. deLeon said was that email received this evening or was that from before. Mr. Banonis said it was to everybody, she received it too. Ms. deLeon said today, tonight, what time? Mr. Banonis said yes. They’ve got one at 6:59 p.m., another at 7:03 p.m., another at 7:18 p.m., another at 8:58 p.m., and oh, another one. Ms. Ray said they don’t sit on their phone during the meeting. Mr. Banonis said again regarding “Town Attorney Conflict of Interest. I agree with the speaker that basically said optics is important. There is an appearance of conflict of interest at least and that is important. In my opinion, it is more than just optics.” Ms. deLeon said okay, well anything that...Mr. Banonis said it’s not a secret, everybody got them. Ms. deLeon said she knows, but she’s running the meeting and can’t be checking her phone 18,000 times like he is. Mr. Banonis said he knows it’s hard to multi-task. Ms. deLeon said and anything read into the record is supposed to be sent to the Manager before noon today. So that is the regulation, just in case anybody wants to check her, they can go out in the hall and read the resolution. Mr. Carocci said he was paraphrasing. Ms. deLeon said okay roll call. Mr. Hudson said request for RFP for Township solicitor to be sent out was the motion.

ROLL CALL: 2-3 (Ms. deLeon, Ms. Opthof-Cordaro, Ms. Ray – No) – Ms. Ray said no she doesn’t think this is the right time, no. Mr. Banonis said he’d like to thank Kathy Pichel-McGovern for bringing to this Council’s attention the fact that Hellertown is removing, apparently removing Mr. Goudsouzian. You think they would hear that from the solicitor, but that was never shared with them, so thank you for that. Thank you anyway. You also talked about familial bias with Mark Inglis and Jen Zavacky. He has no idea what she is talking about. She’s not related to them. If she has any DNA information that suggests otherwise...Mr. Goudsouzian said Ms. McGovern, you don’t have to respond. This is the opportunity for Mr. Banonis to vote. Mr. Banonis said the other thing is there was a comment about being respectful. He thinks it would be respectful if this Council who votes against this yet again, would say when they are going to get around to it. When are they going to actually look to replace the interim solicitor with a full-time solicitor and submit it for proposal? So, based on that, he’s going to vote yes. Motion does not pass.

G. DISCUSS EDUCATIONAL OPPORTUNITIES FOR VOLUNTEER BOARD MEMBERS

Ms. deLeon said this was requested by Ms. Ray. Laura. Ms. Ray said so yes, she had mentioned this months ago when she was out on the floor about training for board members because at certain board meetings that she’s attended, you could see that some of the members are not really aware of some of the rules or some of the zoning information. There is a lot of courses available all the time. So in particular, they put this in their packet for the LVPC has a bunch of courses coming up that are appropriate for Planning Board members and Zoning Board members. Also, pretty much daily the PSATs sends them an email and there’s usually always some sort of seminars and webinars mentioned on there as well. She doesn’t think this information gets shared with people on these boards though, so she thinks maybe they should do, make an effort to share this with board members, encourage them to attend. Most of the fees and costs for these are fairly nominal. She does see in the budget under Zoning and Planning, there is a line item in there for training and webinars she thinks it was labeled. So they do have some budget for these and she doesn’t know if it ever gets used though for these other board members so she’d like to see us share this information and encourage those board members to attend some of these courses. The courses that they are taking right now with PSATs for Boot Camp, they call it, is tremendously helpful. There is so much information, and getting to talk to other people on these

boards in other communities, you can hear how did they handle the situation and what did they do. So it's very good information, better than trying to learn, you know, by sitting on the board and watching what the other people do so.

Ms. deLeon said she agrees with that, is that a motion, Laura. Ms. Ray said yes.

Ms. Opthof-Cordaro said may she just make a...Ms. Ray said you can summarize that into a motion. She will make the motion as follows:

MOTION BY: Ms. Ray moved to encourage and share information regarding educational training opportunities with our board members.

SECOND BY: Ms. deLeon

Ms. deLeon said other discussion, Jason. Mr. Banonis said it appears to him that this Lehigh Valley Government Academy is an arm of LVPC. LVPC has taken positions with regard to LST affairs that is ridiculous and adverse to LST's interest. His concern is that if they pay for this sort of "educational program" it's really going to be an indoctrination to their group think and their positions that are adverse to LST taxpayer interest. So that causes him concern. He'd rather see if they are going to be paying for something like this, he'd rather see our Township ensure the Township solicitor, interim solicitor's malpractice carrier, the Township Controller's insurer put on notice so they have money to pay for these things and they don't have to pay for these things out-of-pocket. So, that's his position on this.

Ms. deLeon said okay, Tom. Mr. Carocci said yes, he means, he doesn't know, some of these board appointees, if they don't have a lot of experience or background in the matter, why were they appointed. Mr. Banonis said politics. Mr. Carocci said right, it's obviously politics. He means when they were in the majority, they appointed people who had a background. They appointed a guy named Doug Woosman to their Planning Commission. He was an energy consultant. Could help them really with what the landfill was doing with the methane and burning it off and putting it into a thing and he had an education, a background. He was removed. Some of these other panelists, he doesn't understand, why we have a new Council and all of a sudden there's a brain drain on all these committees and they got to get them educated because they didn't know what they were getting into or they didn't bring any expertise to the committee. He doesn't understand that. Where are the resumes that these people who were appointed? Do the resumes show they have any interest or is it just politics or any knowledge, or is it just politics? He'd like to see the resumes of some of these people that were appointed on January 2nd to some of these committees and now why we have to educate them. We have to pay to educate them.

Ms. deLeon said her turn. In the packet on the January 2nd meeting, if you go back to the Board Docs you will see all the people that applied and with their letters of resumes and interests lied, so it wasn't just a willy nelly picking. So, she also would like to say she attended a Boot Camp last Saturday and she's been on Council for, she doesn't want to say how many, but it's been a long time and she always walks away with something new that she's learned that she didn't know before. They are appointing residents to committees that have no clue what a municipalities planning code is, what our own administrative code is and there is just a lot of regulations out there they that need to be updated on to be a better board member. She'd like to support that.

Ms. deLeon said Victoria. Ms. Opthof-Cordaro said just to be clear is the motion to encourage attendance, to notify attendance and to also cover the expense of their attendance. It's all three, is that wat the motion is. Ms. deLeon said Laura do you want to amend you motion to include the cost, they didn't do that. Ms. Ray said she did mention there is a budgeted line item for training, so not that she needs to make a motion to cover that because they have that.

Mr. Carocci said how much is that? Ms. Ray said maybe it was, do you know Cathy maybe \$2,000.00, something like that. Ms. deLeon said the line item in the budget, not the course. Ms. Ray said the line item in the budget. These individual courses are \$100.00 or the webinar from PSATs that she saw was

\$35.00. Mr. Carocci said what's that? \$1,200.00 Cathy says was the budgeted amount. Ms. deLeon said are you finished Victoria? Ms. Ophof-Cordaro said sorry, no. She thinks it is a wonderful thing so everybody understands. It looks like some of them are three-day courses. Some cover Zoning administration. One covers subdivision and land development, so our ZHB, our Planning Commission and all of those people, which include both new members and members that have been on for years that have been appointed by prior Councils. She thinks it's not only important to understand their role in the governmental process but also to be updated as laws change almost daily and information changes and hopefully that will serve our Township in a great way and she hopes that they will be able to attend.

Ms. deLeon asked Laura if she had anything else to add before she opens it up the floor. Mr. Banonis said he thought you only got one go-around. Mr. Carocci said yes. Ms. deLeon said no, no, no, go back in the record and whoever made the record, she went back and asked him for other comments, so with that, she's going to open it up to the floor.

Ms. Andrea Wittchen said she has one question Mr. Banonis and Mr. Carocci, what are they afraid of? People being educated on how to run a Township. She sat here through two meetings and listened to residents who have asked a very simple question, what can the Township do for me to help me in this situation and whether you are reading your phone or not, Mr. Carocci, she will continue to speak. That's very rude. She doesn't let her children do that at the dining room table. They asked what can the Township do for me, and she has watched for two meetings now, while all of the Council has stumbled over the answer to that question. But whatever is in place right now, as far as the rules and the requirements for building houses, for having planning developments, for having septic systems for Zoning, all of those rules were put in place when you all, Mr. Carocci and Mr. Banonis, were in charge. So, clearly those commissions and those committees didn't know enough about what they were doing because there wasn't an easy answer for those poor residents who are getting screwed. You didn't know. You didn't know because you don't know what you don't know. She 100% ask that we encourage all people who volunteer to take part in appropriate education. There is nothing to be feared by learning new information unless of course, you don't want to know. Recommend that we not only encourage them, that we agree to pay for it and we also make it easy for them to find the information on how to go about doing that. Thank you.

Mr. David Boulin said he doesn't want to wear out the microphone, and he's knows he's really close. He was on the Planning Board in NJ for ten years. It was required before you could vote on that board that you take at least 6 months of courses at Rutgers University and that's not sufficient. If you didn't pass, you didn't get on the board. Alright, if you are going to do something Laura Ray, he would suggest what you do is mandate before you bring people on board that they already have that knowledge or at least the interest in it. What did he hear the other day? Gee, the parks commission is going to go out because nobody knows where the parks are. Oh really, and he's dumbfounded and sometimes some of the statements made by certain Council people flabbergast him in terms of their lack of understanding of what's going on. Alright, and yes, he does think that the solicitor has some interesting comments to make but he also agrees, and he hired plenty of people in his day, he doesn't take anybody that doesn't have a resume that's verifiable. He doesn't leave it to "well I think they did this or that". No, no, no, you make the phone calls and you find out who is it, who they are, how they vote, how they performed and are they going to be a detriment to the organization or are they going to be like Mark. Really, very, very good, solid person. There is somebody that should never leave this podium, that's the one. Anyhow, he'll leave that alone. Require it, don't say gee we are having tea time, show up. That doesn't work. By the way he still hasn't heard from the EAC committee about this clearcutting of the entire slope of the mountain and yet we have two Council members who have attended those meetings and they have no report. Hopefully at the end of this meeting, we'll have one and we'll understand what went wrong and how we missed it because that's an EAC event for instance. Ms. deLeon said thank you. Anyone else?

Jennifer Helton said she would like to say that everyone that is a professional, has continuing education and you can always learn and that's how you keep your certification, your law degree. You have to do it every year. This is inappropriate to even say that they have to have resumes and check it. They have

good hardworking people on our committees and she thinks it's important that we continue to educate and she's grateful for any bit of training she can get. Thank you.

Bob Blasko, LST, Mr. Carocci, you said you had a fellow that was doing so great that you guys appointed concerning odor control and working with the landfill. He did such a great job that the DEP was having to respond to odor complaints constantly. It's also been reported that one of the meetings that you chaired or oversaw or went to when things were presented the people that you two had appointed, knew so little about it that you had to lead them and coach them and explain things all the way through. That's the great knowledge they had already when they went into the positions and as far as the cutting goes, that's already been checked into and that's regulated by the PA State, not the EAC. Excuse him, PA Commonwealth is actually more correct. Ms. deLeon said okay, thank you.

Ms. deLeon said we have a motion on the floor, what was the motion. Mr. Hudson said for board members educational opportunities. Ms. deLeon said can we have roll call.

ROLL CALL: 4-1 (Mr. Banonis – No) - Mr. Carocci said for the \$1,200 budgeted if it goes over that, he'd like to know about it. Mr. Banonis said the Township is blessed to have some highly competent people but yet this Council has not availed itself of these people with the skill set that matches the Township's needs and that's really a disservice to the Township. To respond to Ms. Wittchen, she said there are people here that are asking what can the Township do for me. How about ask not what the Township can do me, what can you do for the Township. He is going to vote no because he thinks that this Council has made a travesty of the committees and the people they put on there that do not have the competency and qualifications, even the baseline competency qualifications that this training or indoctrination will allow them to get up to speed.

5. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JANUARY 17, 2024 COUNCIL MINUTES

Ms. deLeon said the January 17, 2024 Council minutes have been prepared and are ready for Council's review and approval. She asked if anybody had any corrections, deletions, additions. If not, is there a motion for approval.

MOTION BY: Mr. Banonis moved for approval of the January 17, 2024 Council minutes.

SECOND BY: Ms. deLeon

Ms. deLeon said do we do public comment for minutes. Mr. Banonis said there was no public comment on the minutes. They've always had public comment on the minutes. In fact, he recalls there were certain individuals in the audience now that said there were inaccuracies in the minutes. Ms. deLeon said okay, she'll go back. Mr. Carocci said Ms. Wittchen would stand up and say her names spelled wrong or they always had comments on the minutes. Mr. Goudsouzian said just said to Ms. deLeon that there's no need for public comment which his incorrect, which is incorrect. Mr. Carocci said they always had it. What if somebody in the audience is misquoted? Ms. deLeon said public comment for the January 17th minutes. Mr. Carocci said amateur, amateur. Ms. deLeon said anybody would like to speak, no. Okay, roll call, please. Mr. Hudson said he is going to start again.

ROLL CALL: 5-0

B. APPROVAL OF JANUARY 24, 2024 COUNCIL MINUTES

Ms. deLeon said the January 24, 2024 Council minutes have been prepared and are ready for Council's review and approval. She asked if anybody had any corrections, deletions, additions. If not, is there a motion for approval.

MOTION BY: Mr. Banonis moved for approval of the January 24, 2024 Council minutes.

SECOND BY: Ms. Opthof-Cordaro

Ms. deLeon said do we have any Council's discussion. Public comment period, may she have a roll call please.

ROLL CALL: 5-0

C. APPROVAL OF JANUARY 2024 FINANCIAL REPORTS

Ms. deLeon said the January 2024 financial reports have been prepared for Council's review and approval. She asked if anybody had any corrections, deletions, additions. If not, is there a motion for approval.

MOTION BY: Ms. deLeon moved for approval of the January 2024 Financial Reports.

SECOND BY: Ms. Opthof-Cordaro

Ms. deLeon said do we have any Council discussion. Mr. Banonis said he thinks it's inappropriate to vote on financial reports that are based upon the illegally and improperly enacted amended budget. Again, there were knowing inaccuracies in the proposed budget, and the proposed budget also held in reserves greater than 25% as he talked about several times tonight. He thinks any action to approve financial reports based upon an illegal budget is improper.

Ms. deLeon said Tom. Mr. Carocci said are you asking him to comment. Ms. deLeon said Council discussion, she's following the rules here. Mr. Carocci said good, she should follow the rules like him. He has no comment.

Ms. deLeon said Victoria? She said no comment.

Ms. deLeon said Laura? She said no comment. Ms. deLeon said she has no comment either. Ms. deLeon said public comment. Anybody out there, seeing none, let's have a roll call please.

ROLL CALL: 3-2 (Mr. Banonis & Mr. Carocci – No)

6. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER – Mark Hudson

- He said the only thing he has to say is the Public Works guys did a great job the last two rounds with our winter storms after the last meeting. The guys have done a lot of work, got the roads cleaned up for all of our residents. He wants to give kudos to our PW group.
- They had the steps done in the parking lot. It's still work in progress but they removed the rickety wooden steps and they replaced them with concrete. In the near future, you'll be able to use those. Ms. deLeon said thank you.

B. JR. COUNCIL AND STAFF REPORTS

Rudra Thakkar – Absent.

Mr. Banonis

- He'd like to recognize the SV High School basketball team. They played in the Colonial League semi-finals, lost a nail biter at the buzzer by one point but they are in the district playoffs. He believes they play on Saturday so get out and support the local high school's basketball team. That's all he has.

Mr. Carocci

- He said a couple things. First, not only did your fire tax go up, with this new Council and your real estate taxes go up, but now your water taxes are going up. This Council appoints the board of LSA who has voted to raise, they are calling it, "the Authority will increase the quarterly sewer charge for all classes of service from \$90.00 to \$105.00". They are saying that this increase is being necessary for an increase in cost covering both normal operations and maintenance. That's one of the reasons. He was the liaison to the LSA for the past four years, he's not anymore. Mr. Banonis said who is? Mr. Carocci said that's a good question. He doesn't

know. Mr. Banonis said Victoria? Mr. Carocci said Victoria are you the LSA liaison. Mr. Banonis said Tom, he recalls from the January 2nd meeting that she had accepted that. Mr. Carocci said she won't answer, he guesses. She won't answer which is odd. Anyway, the other reason was a rate increase is the construction of the new pump station on Route 412. The pump station when completed will better serve the Creekside Market along Route 412. Now this project has been 20 years in the planning. It has been delayed in the past 5 to 10 years because Bill Ross and George Gress, who is the chair of the LSA, made a terrible decision to wait for the Meadows Bridge for PennDOT and then the County to build the Meadows Bridge before doing the pump station and the costs has gone through the roof on it. He thinks it's almost doubled. PennDOT told them to basically build the pump station wherever you want and if they needed anything moved during the construction of the Meadows Bridge that PennDOT would reimburse them for those costs, but the costs had to be incurred and do that. That was part of the thing, but no, they decided to wait and of course with inflation and cost over the past 5 years, this project, he thinks, is almost doubled in cost since then because of the decision of Bill Ross and George Gress. The liaison is not a voting member of the LSA so it would only be the appointees by this Council are voting members, but that is why you are getting a \$15 a quarter increase in your sewage bill. Mr. Banonis said it's almost 17% Tom. Mr. Carocci said yes.

- Mr. Carocci said in the December meeting, he had Chief Barndt here to talk about our police who were asked to cover Hellertown. Hellertown didn't have coverage one day so they called the State Police to get coverage and then even though Chief Barndt wouldn't really admit it, but we were the back-up coverage for Hellertown for a whole day. If we weren't, the Hellertown, the interim Hellertown Police Chief wouldn't have had to call our chief to tell him that he had to request the State Police service for the day because they didn't have people to work and Chief Barndt wouldn't have had to communicate that to the officers on duty that day. If there wasn't any expectation that we would be helping out and it appears that things down there have gotten a little bit worse with the interim chief. According to an article on the Saucon Voice, members of the Hellertown Police Association spoke publicly at the Borough Council meeting this week to express a lack of confidence in interim chief Dominick Fragano. Fragano was named the interim chief in late 2023 following the resignation and subsequent criminal charges filed against former Hellertown Chief Robert Shupp. So, this Officer Donato for the association said "Good evening my name is Officer John Donato, current President of the Hellertown Police Association (HPA). The HPA took an official vote which was voted unanimously that the members of our organization have no confidence in the Interim Chief Dominick Fragano. The HPA is available for further discussion, details regarding this vote". Borough Council then went into Executive Session and then when they came out, the mayor who, you have to remember Shupp is accused of criminal charges of stealing money from the Borough all the way back to 2015. From 2015 to 2023, so for 8 years it went undetected by Mayor Heintzelman, Cathy Hartranft, Tom Rieger, so they are right on the ball here. Eight years this guy is stealing money according to the indictment. Mayor Heintzelman says they have complete confidence in Dominick Fragano, the individual appointed is interim Chief of Police. They are currently conducting an assessment of the Police Department by now, so as part of the process they will interview every officer and they decided to stick with it. They are using State Police service at least one time in November. Mark Hudson are you aware of any other time since December that they notified us they were going to State Police coverage instead of local coverage, anytime in January or February so far? Mr. Hudson said he thinks there was one evening in that same time period, but he...Mr. Carocci said was it in December, January or February. Mr. Hudson said yes. Mr. Carocci said December, January. Mr. Hudson said he thinks December. Mr. Carocci said twice they've notified us, at least twice. Mr. Hudson said yes. Mr. Carocci said but he is not the Police Chief. Mr. Hudson said right, correct. Mr. Carocci said at least twice. Our tax dollars had to be used to cover Hellertown because they can't get the officers to show up and the officers that do work there have voted unanimously no confidence in the Interim Chief, so he hopes we can be mindful of our police officers putting LST first. He knows they will and he knows Chief Barndt will. He just doesn't know what outside pressure they will receive from members of this Council, our solicitor and possibly our Township Manager to lend a helping

- hand, another Hellertown handout if you will. So hopefully that won't happen but he'd like to monitor that. He'd like for you to report to Council when that happens Mr. Hudson.
- Cathy you give us a breakdown of the solicitor invoice breakdown, right, the solicitor invoice breakdown, okay. Jason made a RTK request and he's had a chance to look at some of them. Our permanent solicitor that lasted 16 days was doing work for the Township in November and December of 2023. He prepared a resolution for the January 2nd meeting, this was according got Mark Hudson and they have emails back and forth with and Priscilla and other member of Council where he is preparing to work so he wasn't voted on yet. He wasn't appointed yet. Where are his invoices on this solicitor invoice breakdown? Mr. Hudson said they have not received any invoices from him. Mr. Carocci said you have not received any invoices from him at all, okay. So all of these solicitor invoices, he means, they are Linc's, okay. Mr. Hudson said they are 2023...Mr. Banonis said Eckert Seamans as well. Mr. Carocci said right. Mr. Hudson said it's 2023 summary. Mr. Carocci said right, it's the 2023 summary but the emails showed that the coordination between the three Democratic members of Council as two of them weren't sworn in that time and this Mark Freed, and him doing work before he was appointed solicitor and he guesses his question if that is billed for, how will that be handled as he wasn't hired by anybody yet but he was being assigned work by Priscilla and emails and did work. He did work in preparation for the January 2nd meeting. He believes he sent a resolution or an ordinance change, what was that Mark? Mr. Hudson said he sent a resolution for the public comment, but they have not received a bill from Mr. Freed. Mr. Carocci said if they do, he'd like to know about it. He'd like to know how they are paying somebody who wasn't approved to work on behalf of the Township prior to January 2nd. Mr. Hudson said if they receive a bill, they'll bring it to Council. Mr. Carocci said that's all he asks, bring it to the Township. He thought it was very shady of Priscilla to do that. That's all he has. It's been fun.

Ms. Opthof-Cordaro

- She said yes, she wanted to say number one, and say thanks to our Public Works department and again what Mark said about all the cleaning. She can say she went to a training on Saturday with some other members of Council and it was very nice to see that the roads were cleared in time in the morning for her to get to about a 35-minute drive outside of the Township early in the morning, so she does appreciate that.
- She also had the opportunity to attend the LSA meeting yesterday which she thought was very productive and very nice to see everybody there, so again she thanks all the volunteers for that.
- She also just wants to highlight for the residents in this financial report that they got. It's her understanding that HAL legal expenses between December 1, 2022 up through the end of December 2023, total \$200,409.63 is her understanding. That includes Eckert Seamans, which is, as you heard the motion earlier this evening, have been told to cease and desist right now. She thinks that the amount of money they spent on that could have been used to help our library services, help obtain good library services and help our community moving forward and she's saddened to see that they spent that much money on attorneys. It's always been her hope as an attorney that she could do something to help the community and she hopes to continue doing that as a new member of Council here and use her legal skills to help them in furthering what the community would like to see. So, she wants everybody to understand they spent over \$200,000.00. There may be additional bills from Eckert Seamans that come in for work they did in January up through today and whatever miscellaneous may be needed to communicate to the court system but she thinks it's very important that everybody hear that. That's all of her comments. Mr. Banonis said they offered \$250,000.00 to HAL and they rejected it. Ms. deLeon said Laura, your turn. Mr. Carocci said for the cover up. Ms. deLeon said it's not anybody's turn except Laura's. Mr. Carocci said it's not his turn.

Ms. Ray

- She said she'll speak a little bit about the logging that Mr. Boulin brought up and EAC's involvement, which they really don't have any control anymore. They used to have very good regulations about forestry and logging; however, a few years ago, and she doesn't know when the State regulations came into play and now these logging permits get issued by the Conservation District, the NC Conservation District and they approve them so they sent us a copy of the plan and tell us what they are doing, but we don't have any say in telling them to do

less. We did have the Zoning Officer, she believes, and probably Mr. Hudson went out when all the water runoff as happening to inspect and make report if the regulations were being followed that the conversation district have. That's all they could do on that. The EAC really can't do anything. They can't re-up their zoning regulations that they used to have on logging because the State took that out of our hands.

- She also wants to mention, so this month they had their EAC meeting cancelled as that was a snowy day and she just wondered if maybe there was a possibility that they could and she doesn't know how they would do it, but have option for doing Zoom meetings sometimes when it's a case like that. Hopefully they won't have a situation with snow again for the rest of the year, but she knows one night they had a rain situation where they got cancelled out too, so it would be nice to have that option so that they wouldn't just have to drop everything. In this case, she thinks on their agenda they were going to be looking at the application for the development at the buffalo farm, she guesses they are calling it the buffalo development center, so they actually missed their turn on that so it kind of worked out good that it got pulled off the agenda by the applicant so they will have another shot to at least give their input and review those plans.
- At their training session on Saturday, somebody brought up the fact that May 4th is International Firefighter Appreciation Day. They thought maybe we could possibly do something to recognize our volunteer firefighters on that day. No particular idea but maybe she'll bring it up at Parks and Recs when she attends their meeting. Ms. deLeon said what day is that Laura. Ms. Ray said May 4th. Mr. Hudson said it's a Saturday. Ms. Ray said it's on a Saturday.

Ms. deLeon

- She attended a Boot Camp, which is 2 out of the 3 sessions, this past Saturday. This coming up Saturday there's another one. They are very beneficial so she really always walks away with something she didn't know.
- She also wants to let everybody know that she supports the spirit of the RTK law and the public's right to obtain information from governmental agencies. She knows how frustrated she felt as a resident prior to the law in trying to obtain information. She wants the public to know that the Township has been inundated with a voluminous amount of RTK requests, which requires our administration to spend time reviewing these documents, spending your tax dollars to provide the requested information. In her opinion, attempt to paralyze the Township in their duties. She feels this is an abuse of public resources. Since January 2, 2024, the day the new Council majority was sworn in, Mr. Banonis submitted to the Township a total of 940 RTK requests. RTK 1821 was 469 pages, which about 116 were directed at her which she didn't have a problem with. RTK 1829 was 306 pages and about 77 were for her. RTK 1831, 141 pages and 41 were directed to her. RTK 1832 was 24 pages, about 7 were directed to her. She has performed a good faith search for responsive records in her personal accounts regarding the specific RTK requests for 1821, 1829, 1831, 1832, which she sent and forwarded to Carol at the Township. She has complied with all the requests and has done some of the best of her knowledge and belief after a reasonable investigation. She is doing her job as an elected official and obviously the voters thought so this past election. She also feels that the public should know how a certain Council member, Mr. Banonis, is spending tax dollars under the guise of the public RTK law. In speaking with staff at the PA Office of Open Records they were unaware of another State agency receiving that many RTK requests from one person. She will continue working to restore library services, proper oversight of the landfill and balancing proper zoning to the needs of the residents, while balancing their quality of life. So, with that, she'll move on to solicitor.

- A. **SOLICITOR** – No report.
- B. **ENGINEER** – Not present.

7. PUBLIC COMMENT – NON-AGENDA ITEMS – 5 MINUTE TIME LIMIT – OPEN TO EVERYONE

- Diane Hollowell said just real quick. Your upset your tax dollars are going to Hellertown, well she really didn't appreciate her \$50,000.00 of tax dollars going to another county. Alright, Mark you don't have to read her letter as she is here tonight because they are not here till 2. The following is a letter she submitted to the Morning Call. Unfortunately, it didn't get published before this meeting so she'd like

to read it for the record and this is her 200 words. “If you are looking for some good entertainment, Abott and Costello style, please watch LST meetings on YouTube. Since the three new Council members, who won by a huge majority of votes have been in office, the remaining two have turned these meetings into a clown show. No respect when citizens talk, eye rolls, shuffling of paper, interrupting others. They are the definition of a bully in a sore loser. Our Township deserves better. Under their old leadership, they have left a record of destroying the once mutual partnership between Hellertown and LS. We lost a library and a compost center. They pushed for a bigger landfill and they gave us a \$3 million ballfield and to quote one of the losers, “stop wasting everyone’s time and money. Taxpayers deserve better”. He just needs to follow his own advice. An 8-hour long meeting, they set a record. It was amusing that they walked out when the ladies who won that election by a landslide were sharing resident’s emails. It is apparent that they cannot accept the election results and they will do whatever they can do cause disruption. We deserve better. Bring popcorn if you attend a meeting because it’s a circus.” That was the end of her letter. You two must have been fuming after the ladies won the landslide election and not to get political, but she couldn’t believe how many Republicans in Saucon Terrace and those on Alice Drive voted for the ladies. And to those of you watching at home, you want to know where your tax dollars are going, right here. Since she’s a visual person, this one ream of paper is 500 sheets. These two reams now represent the over 900 sheets of paper that were sent to the Township by Mr. Banonis for RTK requests and yes, he has that right but it just gives the appearance of a little child not getting their way. Your family must be very proud of you. So instead of our Township Manager working on things to better our Township, he is working against a timeline to go through 900 pages of requests. Please just get over it and stop acting like a child and to quote you Mr. Banonis “grow up” and for Mr. Carocci, you are fine example to our Jr. Councilman. She’s so glad he’s not here to hear you call Ms. deLeon a dictator and how many times did you say Nazi tonight. Mr. Carocci said Gavel Nazi and thank you. Ms. Hollowell said yes, you are such a, oh my gosh, we have to take Tik Toks of this and post it and see how many hits we can get. And as Mr. Banonis would quote “if you have any shred of dignity” and she’ll end with if you do have any shred of dignity, you would step down and let the position be filled by Township residents who want to better this community.

- Bob McKellin, LST, said first of all he wants to thank the guys who plowed their streets too. They did a good job. They had a tree down. They had power out for about 10 hours. One of the boxes on the thing, Mark, he doesn’t know if he has any way to get ahold of people, but they left the electrical box wide open, with the weather coming tomorrow, it’s right on University Avenue. He wants to read an email that Mr. Banonis didn’t read tonight that he sent to him on December 7th. “Hello Jason, from the December 6th Council meeting, I have a question on the Steel Club tax revenue to be generated in the future when all 159 units are occupied. Just to be clear, you stated that the total property values would be between \$100 and \$125 million and this would generate \$3.75 million in Township tax dollars.” He went back and watched this 3 or 4 times just to make sure he was right. “Help me understand how you calculated this number. If my math is correct and he believes it is, this means that each unit in the Steel Club housing project would be paying approximately \$23,000.00 annually in Township taxes. Since this was put out there on YouTube on the Township to all the Township residents, maybe a correction at the next meeting would be appropriate. Reality the total taxes generated would probably be under \$200,000.00. Thank you for reading my concern. Bob McKellin, LST Resident.” Ms. deLeon said thank you, and asked if anyone else would like to speak before she opens it up to Mr. Boulin. Mr. Banonis said he’d like to ask Mr. McKellin for clarification. Sir, can you site to him the page and line number of the Council meeting minutes from that meeting where he said the taxes were LST local taxes only. (*Mr. McKellin responds but was not at the microphone*) about a minute fifty-two of the minutes and you will see it on YouTube and he went back and forth and that’s exactly what he said. You didn’t say what your friend said, Saucon Voice said, where they said township, school taxes, all that.....Mr. Banonis said Sir, there’s multiple taxes as you probably know. There’s county taxes, school district and there’s local taxes. Mr. McKellen said township tax only, that is all you mentioned and you can go and look, anyone in the room, go to about a minute and fifty, between fifty and fifty-five. Mr. Banonis said so you’d agree with him that the taxes that would be paid by a property of the township to the County would be LST taxes. You’d agree with him also the taxes that are paid to the school district would be LST taxes and you’d also agree with him that taxes that are paid to municipality would be LST taxes, right. Do you agree with him, that’s his only question? He’s trying to clarify and understand what he’s saying. Mr. McKellen said I will tell you what you said, you said, in fact the other part of your question or answer

was that that was going to be a 1/3 or more of the total taxes that Lower Saucon gets. Mr. Banonis said LST. (*Mr. McKellen was speaking but was still not at the microphone*) Mr. McKellin said you said that to Mr. Spirk at that meeting. Mr. Banonis said interesting, he'll have to take a look at that. Mr. McKellin said very interested, that's why I am surprised you didn't bring it up later. You read everyone else's emails, why not that one. Mr. Banonis said well, sir, he's not bringing up something that was on the agenda that was something that happened before, right? Mr. Carocci said December 7th was the day of the meeting. Mr. Banonis said if this is so important to him and they are talking about it 2-1/2 months later, but he will take a look at it. Thank you for bringing it to his attention. Mr. Carocci said why he didn't show up at the December 20th meeting.

- Mr. David Boulin said he's the one on his road that she refers to, thank you very much for outing him. Ms. deLeon said address your comment to the Chair. Your comments have to be addressed to the Chair. Mr. Boulin said okay, so let's see, he has a few things he'd like to talk about. By the way, yes, he did see the LS tax bill gone up 17% and he did notice, by the way he does listen to the meetings, he does attend them. He does his homework here. He did understand that the County and the State were going to help pay for the destruction of the sewage line or whatever over there where the bridge went out and by the way, he hopes that goes back someday. He also did notice that's going to benefit Hellertown. He didn't realize that LSA also serves Hellertown. He guesses it does. He also learned, although indirectly, that maybe one of our Council people, although not acknowledging so directly, did attend those meetings and maybe it's a phantom person so far, maybe the LSA representatives. Boy, that's transparency there. Okay, let's get to the real heart of the matter. He's still interested very much in this issue of the problem of people on the Council speaking out when their property is directly involved and you know who we are talking about here. What really bothers him though is that the two letters to the committee on ethics, two letters, okay, he was told there was only one, and he asked for the letter that the sender sent to the Ethics Committee so he could see what the request was but he was not given that. He was told no, and as a matter of fact when he asked for the first letter back from the Ethics Committee, it was no, and he asked Mark could he get it, and he said he said he did not have it as best as he can recall, let's move on. It showed up the other day and now there's two letters from the Ethics Committee saying no conflict of interest, but then as the meeting moves along, there's a few questions about well, is this ethical or not, for somebody who has a conflict doesn't want a certain thing to stand up and talk about it ad nauseam and so here we are, now all of a sudden there's a direct handoff of the gavel to a solicitor that's not fully invested in some shape. We are still trying to determine what his status was. She gives that to him to run the meeting. Oh, this is wonderful. Not an elected official, she, the President, doesn't hand it off to she, the Vice President, but instead gives it to the attorney who we already believe there may be a problem there. So, what's going on here? You are looking at each other, that's cute. She thought you were supposed to pay attention to him, give him some kind of honesty transparency. It's not happening. What this woman said, yes he lives on Alice Drive, come on over, his shotgun loves, Maggie loves to see people at the.....Okay so that's one thing. See, there's so many things. Ms. Opthof-Cordaro said did you say shotgun. Ms. deLeon said did you just say shotgun. Ms. Opthof-Cordaro said shotgun, you want people to see your shotgun. Ms. deLeon said you just said that. Is that a threat? Mr. Boulin said here we go. We don't shut down people, just let them talk. You can always find a way not to pay attention to him, and pay attention to your supporters. Ms. deLeon said she was asking a question. They heard him say the word shotgun. Mr. Boulin said yes, it's a dance. It's called the shotgun. Tuesday nights, Allentown Swing Dance come out and do the shotgun. Ms. deLeon said okay, she didn't know that. Mr. Boulin said what happened to your childhood. So, the bottom line is, there we go for LS yea, Carocci stole his stuff whatever that was, but what he really wanted to look at is again, he never did get an answer. He knows it's hard to see. That's what he got from Ms. Hill or whatever. Okay, the numbers show on the year the proposed general millage and the fire tax and what we see 2017 the total was, and this is not the last administration, was 5.39, and that wasn't enough so they upped it to 5.89 and that wasn't enough so in 2019 they boosted it to 6.39 and held it constant before the past administration stepped in. It dropped to 5.14 and remained 5.14 for three and now four years. So, the thing that bothers him is the additional \$9 million that this Township has gathered even in a low rate of 5.14. Remember and from 2017 to 2020, you have to do a visual because somehow or another, he's not allowed to show slides, okay, though we can be bantered and beaten to death for 30 minutes about slides about the cost of housing around a certain tower or whatever or was it the landfill. Oh, it gets confusing. Same crew. Bottom line is 5.39, 5.89, 6.39, 6.39, now they are down to 5.14. There's a surplus of \$9 million and by the way, they

just settled and heard, they just settled the lawsuit with HAL. He wonders how Judge Daly is going to like that, oh he's probably, you guys are all friends, it doesn't not much matter, does it. So we spent all this money and with one stroke of the pen, this Council and an attorney over here isn't willing to see the outcome of this although as far as he can see, and yes, he has read Judge Daly's decisions. He does follow it unlike probably some other people on this Council who, whatever just sort of listen to everybody else and yes, back in September he ruled clearly, you have 45 days to turn that over. Did it happen? No sorry Judge it's not going to happen and here we have a 501(c)3 and they want at the time, the \$150,000.00 and he'll tell you four years ago when he was in this Council and these people weren't here, he thinks Ms. deLeon was running it and it was late in December and in comes, well she should remember it because she brought in the HAL people who came and sat at this table, looked at the Council and in effect said, it was the last thing, we want \$150,000.00 to join the library again and one person, he thinks it was Jason said to the attorney who was Linc, has anybody seen this and the answer was no. Okay, well don't you think before we commit \$150,000.00, yes, he saw her looking, \$150,000.00 that we ought to have somebody look at it like the attorney? Yes, he knows he's over his budget okay. You think people don't see and know, alright, he knows it's tough when it's on your end that you're getting it. He would simply say they came in and demanded it then. That's what started the clock and HAL has not cooperated since. 501(c)3 can't show their taxes, why? Can't give us a seat. LS had no seat on that committee and yet we are going to spend \$150,000.00 and then we find out very simply that for one year, any resident of LS could go to Hellertown for \$40, pick up a library pass and do anything they wanted to, bring it back, get fully reimbursed and what did that cost our Township? \$10,000.00, not \$150,000.00, \$10,000.00 and yet all of these people here are so happy. Well, gee, he'd like to put some of the burden on them and let them pay the \$150,000.00 so he who has no kids, he who goes to the Bethlehem Library who by the way, 12 years prior to that, you said over your dead body we were never going to that little HAL library. You did, didn't you? Yes, he sees her shaking...okay, now here we are and now you're fighting tooth and nail to make sure Judge Daly and all his legal people and all of that money that we spent, it's a blackboard, you just erase it. It never happened and you lawyers, some of you, just go right along with that like it doesn't matter. Yes, you can do it, your politicians. There's a lot of corruption, we see it every day on the TV. No, my son didn't do it. Okay, so no, he's not pleased and he really asks you do not let this attorney tell everybody that everything is hunky dory because it's not. This is going to get around even to the people on Alice Drive. Thank you. Mr. Carocci said thanks for talking about the cover up.

Ms. deLeon said she'll ask one more time if there is anybody out there that would like to speak.

8. ADJOURNMENT

MOTION BY: Ms. Opthof-Cordaro moved for adjournment. The time was 10:11 p.m.

SECOND BY: Ms. Ray

ROLL CALL: 5-0

9. UPCOMING MEETINGS

- A. Planning Commission: February 22, 2024
- B. Zoning Hearing Board: February 26, 2024
- C. Parks and Recreation Board: March 4, 2024
- D. Council Meeting: March 6, 2024
- E. Environmental Advisory Council: March 12, 2024
- F. Saucon Rail Trail Oversight Commission: March 25, 2024 (Hellertown Borough)
- G. Landfill Committee Meeting: April 11, 2024

Submitted by:

Mark Hudson
Township Manager

Priscilla deLeon
Council President