



Wednesday, March 22, 2023
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 - March 6, 2023 and March 22, 2023
- E. Public Comment Procedure

2. Police Department Special Ceremonies

- A. Swearing-in of Officer Bartholomew
- B. Swearing-in of Officer Seeley
- C. Swearing-in of Officer Pritchard
- D. Re-Accreditation of Police Department

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

- A. Residents and Taxpayers will have the opportunity to speak during each Public Hearing listed under Item #4.

4. PRESENTATIONS/HEARINGS/ORDINANCES/RESOLUTIONS

- A. Public Hearing and Potential Adoption of Ordinance No. 2023-01 Amend Zoning Map and Text - 378, 412, and Easton Road Areas
- B. Public Hearing and Potential Adoption of Ordinance No. 2023-02 Amend Zoning Map - 412 Area
- C. Public Hearing and Potential Adoption of Ordinance No. 2023-03 Revising Chapter 170 - Vehicles and Operation Restrictions, Vehicles Traffic/Revising Chapter 170-23 - Stop Intersections

5. DEVELOPER ITEMS

6. TOWNSHIP BUSINESS ITEMS

- A. Review of 2022 Comprehensive Annual Financial Report
- B. Resolution #34-2023 Create a Temporary Fire Services Capital Plan Subcommittee
- C. Resolution #35-2023 Appointing Special Fire Police
- D. Community Pool 2023 Reimbursement Program
- E. Resolution #36-2023 - Addition of an Open Space Committee
- F. Planning Commission Member Appointment
- G. Authorization to Hire a Police Officer
- H. Easements with Township Residents for upcoming projects
- I. Police Department and Seidersville Hall Building Improvements
- J. Saucon Overlook Development "Recreation Fee" - Recommendation of location

K. Letter of Support for Bethlehem Trail Gap Grant Request

L. Resolution #37-2023 Intergovernmental Cooperation and Tax Allocation Agreement With City of Bethlehem - Corner of Moravia Street and Benner Ave

7. MISCELLANEOUS BUSINESS ITEMS

A. Approval of January 18, 2023 Council Minutes

B. Approval of February 15, 2023 Council Minutes

C. Approval of February 2023 Financial Reports

8. COUNCIL & STAFF REPORTS

A. Township Manager, Mark Hudson

B. Council/Jr. Council Member

C. Solicitor

D. Engineer

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

10. ADJOURNMENT

A. Move to Adjourn

11. UPCOMING MEETINGS

A. Planning Commission: March 23, 2023 - Cancelled

B. Saucon Rail Trail Oversight Commission: March 27, 2023

C. Zoning Hearing Board: March 27, 2023 - Cancelled

D. Parks and Recreation Board: April 3, 2023

E. Environmental Advisory Council: April 11, 2023

1. **OPENING**

- A. **CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, March 22, 2023 at 6:30 p.m. with Mr. Jason Banonis, presiding.
- B. **ROLL CALL: Present:** Jason Banonis, President; Mark Inglis, Vice President; Priscilla deLeon, Sandra Yerger and Thomas Carocci (speaker phone), Council Members; Mark Hudson, Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Cathy Gorman, Assistant Manager & Director of Finance; Stacy Werkheiser, Administrative Assistant.
- C. **PLEDGE OF ALLEGIANCE**
- D. **ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)** –Mr. Banonis said Council did meet in Executive Session this evening. The purpose was land acquisition and litigation. Attorney Treadwell said from the Executive Session, we would need a motion to authorize the Township staff to obtain a second appraisal for Property No. 2023-01 provided the property owner is in agreement with our condition.

MOTION BY: Mr. Banonis moved for approval as stated above by the Solicitor.

SECOND BY: Mr. Inglis

ROLL CALL: 5-0

- E. **PUBLIC COMMENT PROCEDURE** – Mr. Banonis said the public comment procedure is available. Written copies are provided on the table outside of the Council meeting room. For the convenience of the parties who may not have copies of those, he'd like to remind you of the terms and he's going to read them to you now. Earlier this year, Resolution #31-2023 is a resolution of the Council of Lower Saucon Township (LST) Adopting the Agenda Policy and Code of Conduct for Township meetings. Within that resolution is the Public Comment and Participation terms and he'll read them so you are perfectly clear to the public who is here tonight.
1. Public participation including public comment relating to agenda items shall occur at the beginning of the meeting and shall be listed on the agenda as a public comment - agenda items - residents and taxpayers only.
 2. Public participation including public comment will not be allowed after the commencement of Council's business meeting or during any other agenda item.
 3. Public participation including public comment shall be within the discretion and under the discretion under the direction and control of the Council President or Acting Council President.
 4. Public comment shall be made only by LST residents and taxpayers.
 5. Persons wishing to make comments to Council must put their names and addresses on the sign-in sheet to be used by the Council President to allocate the available time among those wishing to speak.
 6. Residents and/or taxpayers of LST shall announce their name prior to addressing Township Council.
 7. Public comment may be made only by a resident or taxpayer who has been recognized by the Council President.
 8. Comments about items on the agenda will be limited to no more than three minutes per person.
 9. The Council President or Acting Council President shall, in his or her sole discretion, be permitted to expand the individual comment period by no more than two minutes upon request from the individual. Thereafter additional time may be allowed only upon motion approved by a majority of Council.
 10. Organized groups of people attending the meeting to present a comment position or idea to the Council shall designate no more than two members of the group.
 11. No speaker will be allowed to surrender his or her time to any other person or to call upon other persons for comment.
 12. No resident or taxpayer shall obstruct in any way the entrances or exits to the Township Council meeting room.

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13. The resident or taxpayer shall address Township Council from the lectern situated in the center of the Township Council meeting room unless the resident or taxpayer is physically unable to do so.
14. All public comment will be addressed to the Township Council. Nothing herein shall require any Council member to answer questions or engage in debate.
15. Members of the audience may not address other members of the audience or argue, speak, or yell back and forth at each other.
16. To facilitate the business of the Township and to maintain order there shall be no foul or vulgar language used or gestures made during the meeting.
17. Comments should be substantive and not include any defamatory comment and/or person on the integrity of others whether or not present.
18. Letter shall not be read during the public comment unless such letter can be read within the allotted three-minute time limit for individual public comment. No extension shall be granted for residents or taxpayers reading a letter during public comment. Any letter cited or read may be submitted to the Township Manager.
19. Copies of any documents be reviewed or discussed during public comment shall be made available to Council at all times each attendee of the Council meeting shall respect the point of view of others.
20. At all times, each attendee of the Township Council meeting shall respect the point of view of others. No comment disagreeing with another's point of view shall involve a personal attack on the character of others with a different viewpoint.
21. Any conduct disruptive of the Township Council meeting and interfering with the business of the Township, such as talking when not recognized by the Council President or Acting Council President, talking beyond the allotted time and/or the use of a cell phone shall not be tolerated.
22. The Council President or Acting Council President will rule out of order any speaker or comment which is defamatory, contentious, scandalous, or impertinent, redundant or disruptive to the proceedings of the meeting.
23. If the conduct and order of the Township Council meeting is no longer maintained, the Council President or Acting Council President may recess the meeting to restore order so the business of the Township may be conducted when the meeting resumes.
24. Public comment shall not contain personal text of any nature directed toward or against any Council person, employees of LST, members of the audience or any other persons.
25. A period of public comment will be placed at the end of each agenda item for comments regarding non-agenda items. The rules and regulations contained herein shall apply to this public comment period as well.
26. The purpose of the public comment shall be for residents or taxpayers to comment of matters of concern, official action or deliberation which are or may be before Council prior to official action being taken. Council will not respond to comment made by the public portion of the meeting unless it is necessary to ask or clarifying a question, correct factual error or provide specific information. The purpose of public comment is not for residents or taxpayers to engage in argument or debate with members of Council, the administration or other residents and the Council President shall maintain order in accordance with such purpose.

Mr. Banonis said the above resolution was adopted on January 3, 2023.

Mr. Banonis said we also have Resolution #75-2022 which is a resolution of Council of LST Adopting Procedures for Legislative Public Hearings. Among the items set forth in the resolution is that:

1. These procedures are intended to maintain proper decorum for the hearing participation and respect for all citizens and to maintain order.
2. These procedures for legislative public hearings shall be posted on the LST website.
3. Signs will be posted at the meeting location and advise the people attending the meeting of the hearing procedures.

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4. Legislative public hearings area designed to allow residents and taxpayers of LST to express comments regarding the subject matter of the public hearing. Legislative public hearings are no quasi-judicial to public hearings in these rules and quasi-judicial to public hearings such as Zoning Hearing Board (ZHB) or conditional use hearings shall be conducted according to the laws applicable in those instances.
5. Responses to public comment, testimony or questions will not be provided during the hearing other than to clarify facts related to the subject matter. Public hearings of this nature are a one-way conversation.
6. The Township Manager in his or her sole discretion is authorized to request police presence at the public hearing. We do have police here tonight, thank you.
7. No attendee shall obstruct in any way the entrances or exits to the hearing room.
8. A sign-in sheet will be used for order of public comment testimony.
9. Public participation and comment testimony shall occur after the subject matter of the hearing has been discussed by Council.
10. Individuals desiring to speak must be sworn in under oath by the Court Stenographer. The oath will take place as a group at the beginning of the hearing using the sign-in sheet. Individuals who speak must give their name prior to speaking and acknowledge that they took the oath. Individuals who arrive later will be required to take the oath prior to speaking.
11. Individuals desiring to testify shall announce their name, and municipality of residence prior to testifying.
12. Comment testimony may be made only by a person who has been recognized by the Council President.
13. Comment/testimony will be limited to no more than three minutes per person.
14. The Council President or Acting Council President shall in his or her sole discretion be permitted to expand the individual comment period by no more than two minutes upon request from the individual. Thereafter, additional time may be allowed only upon approval by a majority of Council.
15. Groups of people attending the meeting because of the same subject may designate one of the members to speak for the group.
16. No speaker will be allowed to surrender his or her time to the other person or to call upon other persons for comment testimony.
17. The resident or taxpayer shall testify from the lectern or other designated space, unless the resident or taxpayer is disabled and/or unable to stand.
18. All public comment/testimony will be addressed to the Township Council.
19. Members of the audience may not address other members of the audience or to argue, speak or yell back and forth at or to each other.
20. In order to facilitate the order and conduct of the hearing, there may be no foul or vocal language used or gestures made during the hearing.
21. Comment testimony should be substantive and not include any defamatory comment and/or personal attacks on the integrity of others whether or not present.
22. Letters may be read during public comment/testimony subject to the allotted three-minute time limit for the individual testimony. No extension shall be granted for residents or taxpayers reading a letter during testimony. Any letter sited or read may be submitted to the Township Manager.
23. Copies of any documents and/or materials reviewed or discussed during testimony shall be marked and made available to Council and placed into the record.
24. At all times each attendee shall respect the point of view of others. No comment, disagreeing with another's point of view shall involve a personal attack on the character of others with a different view of point.
25. Any conduct disruptive of the hearing or interfering with the business of the hearing such as talking when not recognized by the Council President or Acting Council President talking beyond the allotted time and/or the use of a cell phone shall not be tolerated.
26. The Council President or Acting Council President will rule out of order any speaker or comment which is defamatory, contentious, scandalous or impertinent, redundant or disruptive to the proceedings of the meeting.

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27. If the conduct and order of the hearing is no longer maintained, the Council President or Acting Council President may recess the hearing to restore order so the business of the hearing may be conducted when the hearing resumes.
28. Public comment will have no personal attacks of any nature directed toward or against any applicant, respondent, Council person, employees of LST, members of the audience or any other person.
29. Legislative public hearings will conclude at 10:00 p.m. unless the majority of Council votes to extend the time deadline to the extent applicable any necessary continuation will be discussed at the hearing.

This resolution went into place on November 16, 2022. Copies of both of these resolutions are available if anyone didn't hear what he said or anyone has any questions about it, feel free to pick up copies outside the Council meeting room and we will proceed.

2. POLICE DEPARTMENT SPECIAL CEREMONIES

- A. SWEARING-IN OF OFFICER BARTHOLOMEW**
- B. SWEARING-IN OF OFFICER SEELEY**
- C. SWEARING-IN OF OFFICER PRITCHARD**

Mr. Banonis said Chief Barndt is here to introduce us to three of the new officers for LST. They are Officer Bartholomew, Officer Seeley, and Officer Pritchard. We also have District Judge Mege who is here to swear in our new officers.

Chief Barndt said he will give a brief introduction of each officer before they get sworn in. To his left is Officer Tyler Seeley, he's a 2015 graduate of Northampton High School; 2018 graduate of Northampton Community College; and has an Associate's Degree in Criminal Justice and he is a 2019 graduate of the Allentown Police Academy. He has been a part-time officer at LST since May 2022 and also worked part-time for Nazareth. Officer Tyler Seeley was sworn in by District Judge Mege.

Chief Barndt said the next introduction is Zachariah Pritchard. He's a 2019 graduate of Salem Christian School; 2013 graduate of Kutztown University with a Bachelor of Science and Criminal Justice and is a 2014 graduate of the Allentown Police Academy. Zac worked part-time as a police officer at LST from 2015 to 2016 before leaving and going to work full-time with the Allentown Police Department up until last week. Officer Zachariah Pritchard was sworn in by District Judge Mege.

Chief Barndt said Officer Kyle Bartholomew was a 2002 graduate of Saucon Valley High School; 2004 graduate of Northampton Community College with a specialized degree in Emergency Services, and a 2012 graduate of Montgomery County Community College. He has worked part-time at LST since September 2012 and previously worked part-time in Hellertown. Officer Kyle Bartholomew was sworn in by District Judge Mege.

Chief Barndt said please join him in welcoming Officer Seeley, Pritchard and Bartholomew as they start their new venture as full-time officers with the LST Police Department team. You can see a bunch of the officers are here today and he would like to wish them the best of luck on a long and safe career serving the residents of LST.

Chief Barndt would also like to thank Council again for approving the increase in staffing levels in the department and also for your continued overwhelming support. He can assure you that the officers present and the ones unable to attend greatly appreciate it as well.

Mr. Banonis said he thinks he speaks on behalf of all of Council to thank Chief Barndt for his efforts. We tasked him a month ago with hiring four new police officers, so you are 75% of the way there and we appreciate how quickly you reacted to their reaction. As many in the public know, we've had an increase in crime because of the nature of society and the way it is now. We've had a number

of break-ins over the holidays and we recognize the need to increase our police presence for patrolling, for reaching out to the public, and better interaction and he's happy he was able to identify and retain three highly qualified police officers. He knows it's great for the community, great for the department, and he's hoping it injects some morale so they are not spread as thin as they have been in the past and they really appreciate all they do on a daily basis. You may not hear it from them every day, but he thinks he speaks on behalf of the majority of this Township when he says thank you to all of them.

D. RE-ACCREDITATION OF POLICE DEPARTMENT

Mr. Banonis said the Police Department (PD) received their reaccreditation from the Pennsylvania Chiefs of Police Association. Chief Barndt will provide a brief summary.

Chief Barndt said the police department has successfully completed their third reaccreditation from the Pennsylvania Chiefs of Police Association, since first becoming accredited in November 2013. The PA Chiefs of Police Association website states there are currently only 149 agencies within the commonwealth that attain this accredited status. According to Wikipedia, there are 11,017 law enforcement agencies in the Commonwealth. He would like to take a moment to thank Sgt. Leidy, their Accreditation Manager since 2009. He spends a considerable amount of time each year updating the 25 strict standards for accreditation. He would like to thank all the officers and the Administrative Clerk in the PD for their diligence and hard work during the course of their duties to allow the department to meet these standards and remain an accredited agency. They get reaccredited every three years and they receive this from the PA Chiefs and it hangs on their wall in the PD. He will read the certificate from the PA Chiefs: *To all who see this certificate, know that the Lower Saucon Township PD has fulfilled the necessary qualifications and mandatory requirements of the PA Law Enforcement Accreditation Program of the PA Chiefs of Police Association by voluntarily complying with the provisions of a professional law enforcement accreditation program by means of achieving and demonstrating the highest acknowledged standards as required by the PA Law Enforcement Accreditation Commission is hereby recommended and approved and authorized to receive this Certificate of Law Enforcement Accreditation.* This was effective October 28, 2022, for a term of three years, and their original date of accreditation was November 26, 2013. He thanked the Sergeant and everyone for their hard work.

Mr. Banonis said on behalf of Council, thank you Chief Barndt and thank you Sgt. Leidy for keeping our accreditation current. It's reassuring for the residents of the Township to know we are held in such high esteem at the state level. We have a highly qualified PD. They are professionals, they take their jobs very seriously and it's a reflection of your leadership, so thank you.

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

Mr. Banonis said the Public Comment procedure is available on the table. We have a three-minute comment period for Lower Saucon Township residents and taxpayers. If anyone would like to speak on any agenda item, please come forward and identify yourself. We have three public hearings on three matters so we'll move forward to the presentations/hearings/ordinances and resolutions.

Attorney Treadwell said we do have other agenda items that people might want to speak on other than the public hearing. For the three public hearings that are listed on the agenda you will have an opportunity to speak during each one of those public hearings. If you have a public comment on a different agenda item, now is the time. Mr. Banonis said the other items would be the Township business items at the bottom, so if anyone wants to comment, you are welcome to comment.

- Kevin Reilly Rice said his comments are on 2023-01. He was wondering if you guys did any kind of environmental studies or impact assessments. Mr. Banonis said just to interrupt you, you will have the opportunity to speak on the hearings when those items come up. If there's an agenda item you want to speak on, you can. Mr. Rice said he'll wait for the hearing.

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- Matthew McClarin said he doesn't know if this is an agenda item or not. Mr. Banonis said the agenda is out there on the table. Mr. McClarin said what he's going to speak on is on the agenda as an item and that would be public comment procedure. He's talking on Agenda Item E, Public Comment Procedure. It looks like you have a full crowd here. He thinks back in 2015 we didn't have this clock. We had Council members who were engaged in public comment. We didn't have a time limit. Some Council members like Maxfield, didn't agree with us sometimes about zoning decisions or things like that, but they listened to us and they engaged. He thinks it's a shame that these people in this audience tonight are only going to have three minutes to speak about the most valuable asset they put their money into. He thinks it's appalling and he thinks that this public comment should be changed for these people. Many of these people probably didn't even know the Planning Commission meeting was even happening, he can guarantee that. He guarantees they weren't engaged in that meeting. This is the first time they are coming before Council to speak about an issue that involves their homes, their lives, their kids, their futures and to sit there and limit them to three minutes is the most absurd thing...he just thinks it's a travesty. As elected officials to limit these people on their time, it's honestly ridiculous. He can hope that we can learn from our mistakes of what you did to the taxpayers. There were 200 people who were against the rezoning around the landfill - listen to their concerns, listen to whatever they have to say about their properties, about their homes. He hopes that Council engages in those things. That's what you are here for. You are here to listen to us. If you don't engage with these people, what do you think is going to happen? How many lawsuits are we in already – four lawsuits? Over egos, over decisions that are made, not only on the residents but on other people. What is the value of this to throw all these people under the bus? What is the value we are talking about? We have the lowest tax rate in Northampton County, honestly. He knows one thing, the other Republican Council members and he's not going to say if he's a D or an R, they engaged the public. They didn't not let the people speak about their issues. So, get it together. You are going to be in six more lawsuits.
- Bob Blasko said he is glad was able to attend a real Council meeting at the NC Courthouse. A meeting where the Council members actually looked you in the eye when you spoke. Where if you arrived late, the Council counted your time as precious to you as it was to them realizing you are as busy as they are and they didn't gather up the sign-up sheet to speak at the time of the start of the meeting; and even after gathering the sheet up, once all those that had signed had spoken, they opened up the floor and invited anyone who had come late to speak for five minutes and even extended that time, if necessary. They listened, they discussed, they interacted with the citizens, and they respected the citizens. He was glad, he was glad he finally got to see how a real Council meeting is run. Let him remind you he still has time left on the clock. Mr. Banonis said it sounded like he was done, the crowd was cheering you off, he's sorry. Mr. Blasko said he'd like to remind you of your own rule. You guys come in here and sit there texting each other on your phones and if you read rule 21 tonight, time will be limited to three minutes, he believes is on there, and cell phones shall not be permitted. You should use the three-minute rule as a will and not a shall, you better obey your rules yourselves.
- Laura Ray said she had two items. The one had to do with the financial reports, so just to follow up with what Matt pointed out with all the lawsuits, so if everybody took a look, they'd see that we've already spent as at the end of February, over \$102,000.00 on legal things, so that's 48.6% of the budget and we are only in two months. That's pretty sad. The other thing she wanted to talk about is Item E, the addition of an Open Space Committee. It sounds great if you just read it and think this is like a brand-new thing, wow, this is great, but she'll point out that we've had an Open Space Committee for many years. It's part of the Environmental Advisory Council (EAC). We've had volunteers on that committee evaluating the properties, doing all the things it says in the papers that this new committee will do. This topic was not discussed at all at the EAC meeting, and it impacts them because these are people who volunteer their time for years doing this and it's a slap in their face to all of a sudden say we are going to get rid of that and we are going to get our own new board with your appointees which is how all our boards are, stacked up with people who will only do as you direct them. It's wrong. She's appalled at it. She thinks it's so cowardly that this wasn't talked about at the EAC meeting.

4. PRESENTATIONS/HEARINGS

**A. PUBLIC HEARING AND POTENTIAL ADOPTION OF ORDINANCE NO. 2023-01
AMEND ZONING MAP AND TEXT – 378, 412, AND EASTON ROAD AREAS**

Mr. Banonis said this is for the Public Hearing and potential adoption of Ordinance No. 2023-01 to Amend Zoning Map and Text for 378, 412, and Easton Road areas.

Attorney Treadwell said this is proposed Township Ordinance No. 2023-01. He asked Stacy to put the map up on the board. He said the Township received some phone calls in the past week questioning some of the language in the advertisement as compared to the map and so what you see on the board is a revised Exhibit 3 and he's going to point to the properties. These properties right here were originally proposed to go to General Business (GB) from their current R-40. There was a mistake in the advertisement and that's his fault, his mistake. He didn't catch that it was GB, that the properties were going from R-40 to GB so those properties are not part of this ordinance anymore. The revised ordinance, he will ask Council to make a motion after we hold the public hearing, but the revised ordinance will contain amended or revised Exhibits 3 and 4 so those properties he identified are not changed from R-40 to GB. That being said, the next thing we'd need to do is open the public hearing.

MOTION BY: Mr. Banonis moved to open the public hearing for the potential adoption of Ordinance No. 2023-01 Amending the Zoning Map and Text for 378, 412 and Easton Road areas.

SECOND BY: Mr. Inglis

ROLL CALL: 5-0

Attorney Treadwell said the next item would be to swear in everybody as a group who is going to testify in this hearing. Anyone who wants to testify, please stand up and raise your right hand. Mr. Banonis said the names he has on the sign-in sheet are Kevin Reilly Rice, Joann Mason, Janet Reilly, Tom Engleman, Gordon Fiegel, Donna Beltzner, Michael Yelovich, Denise VanBuskirk, Jennifer Swett, Bob Blasko, Kathy Pichel McGovern, Brad Snyder, and Carol Reilly Rice. Is that everyone? All of those individuals please stand up to be sworn in. The above group was sworn in by the Court Stenographer.

Attorney Treadwell said he will give Council a little bit of an introduction as to what this ordinance does. We will then open it up for questions or comments from Council, then we'll go to the public. Stacy, please put up Map No. 1 and the actual ordinance. Exhibit 1 is in the area of 412 and you can see in the middle of the screen is a dark blue piece that's labeled GB-1. That's the current zoning of those parcels, GB-1. Above that on the screen is another little strip of land that's identified changing from GB-2 to GB. Currently those parcels located in there are zoned GB-2 and they are proposed to be changed to GB. The intent of this entire ordinance is to take the current GB-1 and GB-2 zoning classification and combine them into one GB classification. As you see on Exhibit 1 in front of you, in the 412 area, this ordinance does just that. It takes the GB-1 and the GB-2 that are on the screen in the dark blue and light blue and changes them to GB. If you slide to the next exhibit, there you see what it would look like, the red area, along 412. You can see on the right-hand side of that red line, that area located within the dark red lines with the red crosshatch would be changed from GB-1 or GB-2 to GB if this proposed ordinance gets adopted. That's the first zoning map change.

Ms. deLeon said how many acres is that? Attorney Treadwell said in that location of 412, it is approximately 19.6 acres. Someone in the audience who did not identify themselves or come to the microphone spoke. Attorney Treadwell answered her and said what's going to happen with this ordinance if it gets adopted is all the regulations that were at one time GB-1 or GB-2 will now be changed to GB. The same regulations that GB had, correct Brien, we just took GB-2 properties and put them in GB with the GB regulations.

Mr. Kocher said there are some revisions to that in general. They tried to follow the GB-2 regulations but there were some additions after looking at Hellertown's and the City's regulations and some regulations like impervious coverage that did change. That's what written in your draft ordinance.

Attorney Treadwell said can he explain it first. We'll have Council questions and answers, then we'll open it up to the public. It's easier to understand it that way. Next screen, Exhibit 3, this area of the

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Township as you see in white on the screen is I-78, 378 runs along the red line, going up to the north towards Bethlehem down to the south towards Upper Saucon Township. Again, there are areas on this map that are currently zoned GB-2 that would be changed to GB and there's that one area in the upper right-hand portion changing from GB-1 to GB. These are all along 378. If you slide that up a little bit Stacy, then down at the bottom there's a GB-2, then those properties to the right he explained earlier are not part of this map change. Those properties in light blue that are currently GB-2 would also change to GB. Again, to the next slide, the red crosshatched area shows you along Route 378 that everything in the red crosshatched area. If this ordinance gets adopted, it would then be GB zoning designation except for the three that he identified being not in there. The next slide, this area you see on the map is out along I-78 and Easton Road. You can see the City of Bethlehem city line at the top. The property you see in that triangular type portion is along Easton Road and is currently zoned R-40. The proposal, if this ordinance would be adopted, next screen please...would be to change those properties located in this area from the R-40 designation to the LM designation which is the Light Manufacturing zoning district. Those are the map changes in the three different areas of the Township, the first being 412, the second being along the 378 corridor and the third being out along Easton Road.

Ms. deLeon said if she can ask to go back and show the maps and make sure people realize that some of these other areas are not...Mr. Banonis said you haven't been recognized. Attorney Treadwell said his next thing he was going to do is to ask Council if they had any questions about the maps before he moved on to the text amendments.

Mrs. Yerger said Linc just for everybody's sake...Ms. deLeon said she was first. Mr. Banonis said hold on. Ms. deLeon said Sandy is going to go before me, go ahead Sandy, you have seniority here, go right ahead. Mr. Banonis said Mark do you have any questions about the maps? Mr. Inglis said no, he's good. Mr. Banonis said Sandy? Mrs. Yerger said she was just hoping that...Someone said can you speak in the microphone. Mrs. Yerger said she's sorry, this is her mic. Alright, fine. She was going to ask Linc to just one more time please identify the difference between GB and GB-1 and GB-2. Is there any significant difference in terms of what those changes would be? Attorney Treadwell said he doesn't believe there's any significant difference in terms of the uses that are permitted. The uses that are permitted in GB-1 and GB-2 will all be permitted in GB. Mrs. Yerger said right. Attorney Treadwell said so it's just a combination of those two districts. The GB-2 which had a lot less acreage in the Township originally than the GB-1, had smaller lot sizes. All of the GB will be similar, so that all of your GB type uses or any proposed uses that come in, in the GB district, would all have similar regulations. The types of uses are the same as have existed in GB-1 and GB-2 since the beginning. Mrs. Yerger said that's what she wanted as clarification.

Mr. Banonis said he didn't have any questions. He asked Mr. Carocci if he had any questions. Mr. Carocci said no.

Ms. deLeon said thank you. Linc, when you look at these maps these are very nicely colored but as a resident, and she knows herself as a Council person, it's overwhelming and it's like are they zoning all of this area. She's sure a lot of you when you look at these maps, you aren't really sure what is being proposed, so if we can start at the first map again. Can we do that please? So, it would be in the center of the page where the blue is. The light blue above, if you live anywhere outside that area, it does not affect you. Correct me Linc if I'm wrong. Attorney Treadwell said if that's a question, no. When we get to 2023-02, there's more properties out there but for this ordinance, in particular the dark blue and the light blue that is an L-shaped type piece of property, those are the only ones that are changing. They are GB-1 and GB-2 and now they'll be GB. If you live along there, it's not affecting you.

Ms. deLeon said the next one, Stacy please, again, it would be the light blue area which was a mixture of both. Mr. Hudson said the GB-1 is again in the dark blue and the light blue is the GB-2. Then there's a little piece up there...Ms. deLeon said if you are not living in that area, outside that area, it's not going to affect you, it's only those properties, then what is the next one. So, if she has

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questions for the language, does she say it now? Attorney Treadwell said ask it now. Ms. deLeon said we talked about the GB for many years, back 10 years ago we were talking about doing this. Her concern is the Easton Road property. Is that served by water or sewer at the moment? Mrs. Yerger said no. Ms. deLeon said that's a big concern. She knows a developer and she'll say his name, Lou Pektor was here back in 2020 and came before us and wanted us to do this same exact thing, re-change the zoning. He was buying up people's properties at over market value and we listened, and he came back twice. If you go back through the minutes, you can find that, Greystone Development. We told him that we had concerns about the traffic because we were getting concerns about traffic issues from across the street in the Bethlehem Steel - Lehigh Valley No. 7, whatever they are calling Majestic Realty.

Ms. deLeon said she's also concerned where is the ballfield located? Mrs. Yerger said it's close to it, but not in it. Ms. deLeon said it's further down then, so that's not included in this. She just wanted to make sure as we are spending \$500,000.00...she doesn't play baseball so she...Mr. Kocher said you can see Mockingbird Hill Lane is right to the left of the R-40 designation. So, the ballfield is right south of Mockingbird Hill. Ms. deLeon asked him to point to it with his red marker. She sees Wilhelm Drive, and smack in the middle of this zoning change, which could allow warehouses, is this ballfield. Her problem is the warehouses included in here. She'd like to know if it's possible...she knows we have to have warehouses somewhere, and we do, we have it on Apple butter Road in the LM zone. Is there a way we can call this another LM-2 or something and take warehouses out because of the traffic issues that we have that aren't being addressed? There aren't any studies. She doesn't see a study on traffic. To service an industrial area like this you need water and sewer, and where is that?

Attorney Treadwell said he has no idea if there's water or sewer out there or not. That happens...Mr. Banonis said hold on, folks he read to you the policies we have for the conduct of the meeting. If you are going to have outbursts, he's going to have to ask you to leave so we can complete the meeting tonight, so please be respectful. We are respectful towards you, please be respectful towards us. Someone in the audience was speaking. Mr. Banonis said Ma'am, Officer...Linc please proceed. Attorney Treadwell said the answer to the first question is yes, you could make it an LM-2 district, you don't have any other LM-2 in LST, but that's a possibility if that's what Council wanted to do. On the traffic study issue, traffic studies come in when developments come in, so if anybody proposes to develop it, and that's all in the discussion how they will serve the property with water and sewer takes place, if there's a development that's being proposed. This zoning ordinance map change would change the map to allow for LM uses in that area. All the details about what would go there would come later.

Ms. deLeon said one of the last times we talked about this, Sandy you were concerned about warehouses. She knows Sandy had mentioned that. Mrs. Yerger said she was concerned about traffic, whatever it is, if it's LM or whatever, she was concerned about it. She also brought up the cemetery and she also brought up the ballfields and the church. That was of a concern of hers.

Mrs. Yerger said her other concern, as she looked at it very closely today, when she was coming here, some of the houses, and everybody who lives out there knows they are smashed right up against I-78, the ones with the chickens especially, she doesn't know what you can fit in there anyway to be perfectly honest. It wouldn't fit any regulations, so in her opinion, and it's her opinion, you can't get anything there anyway. It would not fit any of our current ordinances to put anything there. Those were pre-existing so there was nothing, you know what I mean.

Ms. deLeon said to follow up, what her concern is of is lack of public water and sewer, she feels for everyone who lives there because what you are dealing with the across the street. She thinks the Township should be a little bit more proactive and try to stand behind you and try to talk to the City of Bethlehem and try to see if they can be better neighbors. When that development was approved back 20 years ago, the Township went and told the city that we did not want anybody coming off on Easton Road. We wanted them to go on 412. That's where they had that massive entrance so

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everyone would go that way. Everybody is shaking their head, you do remember that because some people up here do not remember that as they weren't here then, but she does. Then all of a sudden, we started getting the City of Bethlehem development plans that showed businesses coming out now on Easton Road and it was impacting Cherry Lane. When the SVP was meeting, they as a partnership with the school district and Hellertown Borough, were concerned because of the traffic issues on Cherry Lane so she asked Mark to find this. Barry Isett back in January 6, 2016, did a transportation impact study review and she doesn't have the other follow up letters, but they also mention about the traffic, so we have a real big concern with approving this and changing the zoning, in her opinion.

Mrs. Yerger said the other problem is even though we have worked at putting signage on Ringhoffer Road, we all know tractor trailers are going to come down Ringhoffer, it's not going to change. Ms. deLeon said in fact that's in the traffic study once those other five sites along the city property that ingress and egress, as they develop, they were supposed to do another traffic study and if it exceeded whatever the numbers were, they were supposed to put a light in down at Cherry Lane. She wants to hear what the residents want to hear about the GB, are we going to open it up to them or are we going to talk about the language. How are we going to do this? Mr. Banonis said are you done? Ms. deLeon said she wants to know how we are going to do this and then she'll let you know if she's done. Attorney Treadwell said he's going to give a brief explanation of the language and then if anyone has any more questions, we can go and then we'll open it up to the public. Mr. Banonis said are you done? Ms. deLeon said for now.

Attorney Treadwell said again now to the text section, text revisions in proposed ordinance No. 2023-01, basically in summary when the Township staff looked at the LM zoning district, it appeared that for the size of the properties that are on the screen that you see in front of you, that the probability was that there wouldn't be any very large structures there so that the potential for a more commercial type use might be good in that area. What the staff did was added to the LM district, regulations for your review, different types of commercial uses that are found in GB as well so that the LM district is now kind of a combination of what used to be LM with a little bit of GB added into it to give property owners in the LM district more flexibility as to what they could or could not do with their property. The additions were primarily adding uses from GB, correct Brien, into the LM district? Mr. Kocher said yes. Attorney Treadwell said so that's basically the summary of the text changes as to how the LM district was kind of modified to try and promote more uses.

Ms. deLeon said Mr. President may I ask a question? Mr. Banonis said hold on. Mark, any questions about the text? Mr. Inglis said no, he's good. Mr. Banonis said Sandy any questions about the text? Mrs. Yerger said she's curious about what Linc just said because you might be able to get some shops in there, that kind of thing, retail, small independents, which wouldn't change it, but again you are talking a few because with parking and all that other stuff, she's wondering if that would be something we would need to consider. Attorney Treadwell said that's kind of what we tried to add in Brien, with adding some GB uses into LM, and again, as this Council knows, maybe not everybody in the audience knows, but these changes were suggested as part of the LST Comprehensive Plan in terms of trying to stimulate economic development in certain areas of the Township. Mrs. Yerger said that helped. She appreciates and she's just trying to clarify for everybody also.

Mr. Banonis said just so he's clear, the uses that are proposed here in the LM district, these are all still subject to the Township zoning and all the land development approvals? Attorney Treadwell said absolutely. Mr. Banonis said there's nothing that prevents the current uses of the land if we were to rezone this to LM, correct? In other words, the folks that may have properties there that live on those properties can continue to live there. Attorney Treadwell said if there's a house there today the house stays. Mr. Banonis said okay. He asked Mr. Carocci if he had any questions? Mr. Carocci said no.

Ms. deLeon said she thinks we should look into not approving this tonight and take it and send it back to you guys, the administration, and look at it, get rid of things that aren't going to fit and look at other areas that would increase our commercial development in that area and give a better market

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value to people that live there to sell their property because of the lack of water and the lack of sewer and the traffic issues. She's not in favor of supporting the LM district as written. The other ones, she wants to hear everybody and she might change her mind. For right now, and Linc, the error that was made in the language, when she looks at this, her eyes just go bonkers, is this like standard written form to write up an ordinance. Attorney Treadwell said it's a catch 22. The less you write, the more people complain that they don't know what it means. The more you write, the more confusing it is so that is how it is advertised in the newspaper. Ms. deLeon said this time, but is there a way you can put it in a like a bullet list to make it easier to understand. Attorney Treadwell said he's sure we could break that title down into bullets, but if you have it in Word you can just do it yourself and pop them right into bullets. Ms. deLeon said we are supposed to make it easier for the residents and a lot of people can't take a PDF and make it into a Word document. Attorney Treadwell said he was talking about her. For the audience, unfortunately you have to read stuff that isn't the easiest to read. He'll admit it isn't the easiest to understand either, he gets that. Ms. deLeon said thank you.

Mr. Banonis said he will open it up to the public who signed up and he'll take it in order from the sign-in sheet.

- Kevin Reilly Rice said he didn't see anything on any kind of environmental assessment or impact statements even on anything you guys have already built. He hasn't found anything on how it's affected us, the pollution, water quality, anything like that. Are you going to conduct anything like that? Mr. Banonis said this is your opportunity for public comment. Mr. Rice said that is his public comment. Mr. Banonis said you are asking questions. This is your opportunity to comment. If you have information you want Council to consider with regard to what's before us, you are welcome to present it. Mr. Rice said what about the cemetery and the ballfields and all of that stuff included in this. Attorney Treadwell said the cemetery and the ballfield would remain a cemetery and a ballfield unless the owners of them decide to divest themselves of those properties. We own the ballfield; he assumes there's a church that owns the cemetery. Mr. Rice said how is this going to affect the environment that he lives in. How is this going to affect his health, can you give him an answer to that? Attorney Treadwell said he doesn't think we can answer that question tonight as there's no use for the property, it's just for changing the zoning map. Mr. Rice said there's a change in the usage though. Right? Attorney Treadwell said the map would change to allow uses that are allowed in the LM district to go there, correct, but we don't know what they might be. Mr. Rice said okay.
- Joann Mason said she's a resident of Easton Road. She has a few comments and questions, and she doesn't know if you'll listen to her questions but rezoning Easton Road to residential to LM, what does that do to their property values. What does that do for us? Attorney Treadwell said he meant to mention this earlier, and he forgot, but it doesn't change the assessed value of your property. The taxable value of your property is based on the use that's on your property, not what it's zoned. Whether the rezoning increases or decreases the actual overall value of your property, he's not a real estate expert, the concept is to allow different types of uses in that area because of what's across the street. He thinks this Council heard over the past couple of years some residents from out there asking for the zoning to be changed so that they could sell their property because they didn't want to live with what was across the street. He doesn't pretend to know if that's a majority of the people or not, but that was the purpose of this change. Ms. Mason said so then the residents who came and asked for the change, if not everybody is willing to sell, what happens to those who remain, do they become landlocked? What happens if she lives on one end of the road and there is another warehouse next to her across the street from here and I-78 behind her? Attorney Treadwell said that is certainly a possibility if someone could buy enough of the lots that are around you to put up a structure of that size, that's a possibility that it could happen. Ms. deLeon said that's why she wants to take warehouses out. Ms. Mason said thank you for caring Priscilla, thank you for caring about all of us. We have been subjected to the tractor trailers. She has 18 wheelers turning around in her driveway but she doesn't complain

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because we are family out there, which you don't care about us. All you care about is the tax revenue you are going to get from whoever buys that property. So, you know what, shame on you for what you are doing to Easton Road residents, that's all she has to say.

- Janet Reilly said Priscilla thank you for caring about us out there, we are concerned about our water. You have all these warehouses there. We don't know what they are doing. We've taken all the land we have, the animals, the open space, you are going to turn it into a zoo and where are all the other animals going to go. Why do we need to have it rezoned? You are just rezoning it so you can put warehouses or department stores, or whatever you want to put there so you are rezoning it for your benefit so you can make more money and you don't care about the people who live there. When I-78 came through, it took their property. Their property has been in the family for 200 years and it took the best part of their property. She lives right across from I-78, she can't open her windows, she can't sit outside, no barriers are put up, no sound barriers. You don't need a sound barrier they said. She'd like to invite all of you to come to her house and spend a night at her house as her windows shake, her house shakes, she invites you all to come and have a nice quiet night. Do any of you live near I-78? So, you don't know what it's like. We had beautiful country and you are destroying it and shame on you.
- Tom Engleman said he lives right across from the UGI installation that's there. He said his first comment is he gave his PA system away to a musician; he should have donated it to the Township. Mr. Banonis said thank you. Mr. Engleman said he's usually not sarcastic. They've been there since 1965 when he had the house built, so since I-78 has gone in, that disrupted the whole community there and he has to tell you the truth, UGI has not done really harm to them as far as noise or smoke pollution or anything like that. The only thing he knows is they have 2 million gallons of liquid natural gas in that one tank so if that goes... Ms. deLeon said we are toast. Mr. Banonis said Priscilla please don't interrupt. Ms. deLeon said she's not interrupting she's just saying we are toast. Mr. Engleman said he'd like to read something, it's page 2 of the documents that came with the maps and in paragraph 5, it says whereas the Council of LST, has determined that the adoption of this ordinance containing the described amendments to the zoning map and text of the zoning chapter of the code is in the best interest of the public health, safety and welfare for the citizens of LST. He doesn't understand how his health and his safety and his welfare are going to be improving. He has a lot of other questions. He doesn't know if he can submit them to the Council in writing some time and get some kind of response. Mr. Banonis said this matter is before us today and we may act upon it or we may not, so if you have questions to ask or comments you want to submit to them, they are willing to hear them or receive them from him. There's no guarantee there will be another proceeding after this but there may be. Mr. Engleman said there's always concern about the sewage and the water supply as they have private systems out there and when Majestic or UGI bought that property and moved it their facility there, Bethlehem City brought water down across the street from there to Ringhoffer Road. He got in touch with the Bureau of Water in Bethlehem and asked if there was any chance they could bring that water on to their property as Easton Road is really a state highway and he's sure you know that. Whoever he spoke with, he said you have to abandon your well and he said what would the cost be. They said \$85.00. He said how can that be. They said they shoot a torpedo under the road and bring it onto your property and then you have to get a plumbing contractor to bring it into the house. He has two quotes from a plumbing contractor, one from Adams Plumbing in Hellertown and he said \$6,000.00 with four pages of stipulations like if he sees a ground hog the price goes up, and things like that. One from Lowry down in Harleysville, they wanted \$20,000.00 to do it so they scrapped the idea at this point. That's a concern and all the things he read in the other documentation talks about public served businesses that can possibly move into those zones when they become LM, and without the water and sewage he can't imagine how that can be. That's a big issue in his mind. What's the City of Bethlehem's involvement in any of this? Mr. Banonis said none, just like what they do with the warehouses across the street. They didn't involve us or include us. Ms. deLeon said that's not true. Mr. Banonis said at least he wasn't on Council at the time. Ms. deLeon said you weren't on Council so you didn't know but we did get

copies. Mr. Banonis said getting copies is not being involved, getting copies is just receiving information, so go ahead sir. Ms. deLeon said we were asked to comment. Mr. Carocci said Priscilla was the President of Council and she let it all happen with her friends of Bethlehem. Ms. deLeon said the residents are just loving this. Mr. Banonis said go ahead. Ms. deLeon said you can't make this up. Mr. Engleman said with these changes and if these areas expand, he doesn't know how many people live in that strip along Easton Road, maybe 150, and if other businesses come in there, it could increase the population, what does that do to the police protection, the need for additional police protection and those types of services. Also, in the documentation, they talk about possible fire protection buildings, maybe in police and other government agencies, how does that property become acquired by those government agencies if people don't want to sell their property. When I-78 went through they came around with eminent domain. Many of us got taken on that whole deal. He also knows at least four people along that road that have been approached or are thinking about or maybe have already taken an offer to sell their homes. His questions are who is making those offers. Is it a developer, is it a private individual? They've been there for 57 years and it's only the last couple of months they are getting phone calls with people wanting to buy their property. He doesn't discuss it with them, he just says it's not for sale. Is it a developer, he has no idea who it could possibly be but it's concerning. The only other thing is what's the tax impact for LST, what about the Saucon Valley School district and the Northampton County (NC). He's talking about real estate taxes now. Do they go up or down? Attorney Treadwell said as he said earlier, the assessment value of the properties is based on what the use is. If the use stays the same, it's the same assessment. Mr. Engleman said he has a notion that let's say everybody along there, sells their property and businesses would go in, he would think there's going to be an increase in tax revenue coming into the Township. Attorney Treadwell said that would happen. Mr. Engleman said he doesn't know how motivating that is but he questions that.

- Gordon Fiegel said that's his father-in-law. He's not as smart as him. His first concern is, and they've only been there 10 years, they bought his grandmother's property and he's not well spoken but his question is what the changes are as far as regulations to what he does. The highway is one thing, as their house shakes so bad. They called them and they didn't do anything. His question is now we can burn, has that changed. Now he has guns and has ranges on his property, does that change? What are the regulations that change for that, and the only other thing is the traffic? Two weeks ago, he couldn't get through on Easton Road because a tractor trailer was stuck on the bridge again. That bridge has been fixed how many times. That's just money thrown away. So, all those issues that are already there, he doesn't know what this change will do, but for him, he wants to know in layman's terms, can he live the same way he has been living, that's all he wants to know. Attorney Treadwell said the short answer to that is yes. All this does is change the zoning designation of that property that would allow you if you wanted to do a use that's permitted in the LM district to do that, but do you want to keep your house, then you keep your house. That's the way it works. As for the traffic impacts, again, nobody ever knows what the traffic impacts will be until there's a proposed use that has traffic associated with it and then that's when you do the traffic counts and you figure out what the traffic analysis would be. Ms. deLeon said Linc, we already know that. Mr. Banonis said Sir, next is...Attorney Treadwell said there's lot of stuff out there. Mr. Banonis said are you done.
- Michael Yelovich said he's been living there for ...Ms. deLeon said we need to hear you, Mike. Mr. Yelovich said no one takes care of the trees there. They are falling down all the time and somebody is going to get killed, his car got hit once, it blew the windshield out. They are still doing it, and a couple weeks a few went down and the whole road was blocked off. Also, the tractor trailers, they don't know where to go sometimes. One time they pulled the wires down, they were out of power for a while. Are taxes going to change down there changing the zoning? Plus, if he wants to sell his house is somebody going to buy it because of the change. Attorney Treadwell said he doesn't know who may or may not buy your house, but like he said before, your tax assessment is based on the use of your property, not what it's zoned. If the use of your property stays the same then your assessment stays the

same. If you knock your house down and build a house that's twice as big then your assessment goes up, it depends how you use the property. Mr. Yelovich said his house already depreciated because of all of that. Attorney Treadwell said maybe somebody who wants to build something else might want it. Mr. Yelovich said some people got offered already, that's what is going on. Attorney Treadwell said obviously there are people interested in buying properties out there to do something with them. Mr. Yelovich said is that why we are changing the zoning there. Attorney Treadwell said the zoning change came about because over a period of years there were many residents that came to this Council meeting and said we don't like living across the street from what's there now. Can you change the zoning so we can sell it to somebody else? Again, that might not be a majority of the people but there was a decent amount of people in this room asking that question. Mr. Yelovich said not him, he doesn't want to be stuck there and if somebody is buying them, buy them all. His house shakes like crazy. Attorney Treadwell said this Council and Township do not control who offers anybody what for their property. That's a private issue. The concept was people didn't want to live across the street from what's in the City of Bethlehem so if they couldn't sell their houses because nobody wanted to live there. So, if you change the zoning, you have the option of living there or sell your house to somebody who might want to do something else.

- Denise VanBuskirk said she doesn't need the microphone as she has a big mouth. She said, Ms. deLeon, she appreciates you wanting to side with the people on Easton Road but you were on a zoom meeting with her with the City of Bethlehem and several residents on the road years ago. They complained about the noise, they complained about not being told what was going on over there. Nobody from the Township except for her, was on that meeting. We have had trains, 9 p.m. to 2 a.m., 5 a.m., 11 p.m. Horns blowing. No cross traffic. It's an industrial park, okay. Screeching with the brakes. Trucks air brakes, speeding, loud exhausts, wrong way on the bridge, how many times, backing up on the roadway, Pando which is across from here, plastic pellets. The building was built backwards so all the manufacturing parts are on our side. The office to enter is on the hillside. What brain did that; she has no clue. All hours, sometimes three shifts, seven days a week, you are not able to open your windows, you aren't able to be outside, she has a video of the sound of it, but is told she can't play it. Her ears are ringing from the noise. Okay, her doctor told her there's nothing she can do until she can leave. I-78 noise – louder every year. She can tell you there were six people killed right behind her house. There are trucks that come down that hill on the I-78 and their brakes are unbelievable. What are they called, Jake brakes? There's racing behind them, and her property doesn't even go to I-78. There is no consideration of effects on their property values or quality of life in the industrial park across the street or the park expansion, which includes UGI from Bethlehem and nobody from our Township has addressed it until now. Rezoning gives us the option and a choice since we didn't get one when that park was put across the street. She's been there for 24 years and thought that house was going to be her forever home. She can't wait to get out. Her property values have gone down and she has people who have come to look at her house and they said why would I want to live there with that going on. The only thing they have going for them is with the Saucon Valley School District, and that's questionable, so as far as this rezoning goes, if you don't want to sell your house, don't sell your house, but at least give them the option. Thank you.
- Jennifer Swett said she's been living there for about 30 years and she asks that you delay your vote on this ordinance. She is against the ordinance passing. She's lived at her home for 30 years. She's raised a family there and she doesn't feel we are getting any straight answers who is behind this ordinance push. She's heard mention of her neighbors being in favor of it, so it's true, but they aren't getting information. Someone also mentioned a little earlier that LS was looking at generating revenue so she's not sure what the driving force is for the ordinance. Is it the Township, is it her neighbors, any information would be great. She's reached out to the Right-to-Know officer and asked for an application for the rezoning and she was told there is no application in place. Is that the case? Attorney Treadwell said there's no application for rezoning and as he tried to explain earlier, it's a combination of

factors that over the years there have been people, and Priscilla was right, there was a developer at one time who wanted to purchase some for these properties. There were people who live out there who wanted the option of being able to sell their properties if they so choose to a developer to do something else and when you look at the location of it, you have Route I-78 on one side and the City of Bethlehem on the other side, it's sandwiched in the middle of not so friendly uses, so he thinks the concept would it make sense from a planning standpoint to put something along the LM commercial type stuff in that location as opposed to keeping it residential, which doesn't seem to fit from what's in front of it or behind it. Ms. Swett said according to Township officials...Attorney Treadwell said correct. Ms. Swett said what about the people who live there and whose homes...Attorney Treadwell said that's what this public hearing is for, so that you can express your concerns and opinions. Ms. Swett said it's very disheartening when she further questioned Mr. Hudson about the information, he gave her vague information. Attorney Treadwell said what information are you looking for? Ms. Swett said she wants to know specifically who was behind this? Attorney Treadwell said no one is behind it. The Township every once in a while looks at its Comprehensive Plan. It also looks at its zoning map and zoning amendments. Over the years, things change, circumstances change, and things change. Municipalities all across PA change their Comprehensive Plans and their zoning ordinances all the time. There doesn't have to be one person that's asking for it or a group of persons asking for it. Sometimes it's the municipality on its own that says this doesn't make sense anymore, it should change. Mr. Banonis said if he could just add to that, he thinks it was two meetings ago he brought up the article that was in the PSATs newsletter that we get on a monthly basis and one of the recommendations was to look at our Comprehensive Plan and to look at our zoning and revisit it periodically to make sure we are current with the times, so that's what we have done. We actually looked at this previously when we looked at the Comprehensive Plan and enacted the Comprehensive Plan in 2020. Ms. Swett said she gets a feeling there's a lack of transparency with this Council. Attorney Treadwell said please ask as many questions as you want and he will answer them all. He's being as transparent as he possibly can. It sounds like the answers aren't the ones that you are looking for. Ms. Swett said her other concern is, like many of her neighbors, are the implications of their property values and any tax implications. She understands you don't know what the rezoning will mean. Attorney Treadwell said he said this a couple of times already, there's aren't no tax assessment implications. Your tax assessment should not go up unless you change how you use your property. If you keep it the way it is, then it stays the way it is. If you add an addition on, then sometimes your taxes go up. If you knock it down and build a house that's twice as big, your taxes go up. If you sell it to somebody who puts a little Dunkin Donuts in there, then the tax assessment on that property will be different than what it is now for your house. Ms. Swett said her third concern is the wildlife. She understands you are looking at changing over 200 acres over at the landfill and making that an area that will be collecting refuse. There's lots of animals in their neighborhood and she just wonders what is going to happen to them. If Easton Road is going to be rezoned, she feels confident several people will sell and their neighborhood is going to be parking lots and concrete and that's going to have a negative impact obviously on the animals. So just to close she requests that you postpone tonight's vote and please give it further reconsideration.

- Bob Blasko said he was looking forward to coming up here and say, I know you can't believe it, but he has no comments. There were a couple of things said that have kind of brought things up to him. A month or two ago, he came in here and complained about the truck traffic going to the landfill, which is right around the corner from us, and asked if you would or if you could enact an ordinance locally so that our officers could fine these trucks that are taking the unprescribed route. They are getting off I-78, heading towards Chrin, like that's where they are going, and then take all the back roads. He followed one on Applebutter the other day and it was like a difference between a road runner and a coyote and he was doing 40 and that guy just took off away from him like he was standing still. It's dangerous. Different people have complained. It gets him that you have no problem going to an approved conditional land use permit in no time flat for the landfill but when we as concerned

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citizens ask you to do something about the truck traffic, codify an ordinance, whatever it takes, whatever language you need so they can't do that, as far as he can tell nothing still has been done because they are still doing it. So, to answer the fellow that asked on Easton Road about the truck traffic and what it will be like. Well, it's not going to get any better, he can tell you that.

- Kathy Pichel-McGovern said she's third generation. She has many things to say. This is the third time only for herself that she's sat here for hours knowing how this is going to end up. She also knows there's going to be another lawsuit against LST, so now we'll be up to five. We will also spend more money on useless lawsuits that we could have used for the residents. Easton Road breaks her heart. Easton Road used to be beautiful. The lady who spoke earlier, she feels terrible for her, she thinks about her every day. When she was on the Planning Commission, they talked about putting a third lane in there, they were going to put in beautiful trees, they were going to do this, that and the other thing so the trucks could go off to the side to pull into the Industrial Park. It never happened. Easton Road is an overburdened community. They have too much noise, pollution, they have too much light pollution, they have too much traffic, too much diesel fuel, it's an overburdened community. Those people need our support. You should be telling them to call their own realtor to see if their property value is going to change if they go from residential to LI. You can't have a shooting range in LI. That's just common sense. They need to call their realtor and ask their realtor what's going to happen. Why you are picking on these people is beyond her. It's amazing to her. You have two empty shopping centers in Hellertown, you have an empty shopping center on 378, and 378 has been empty forever. It had Taps, Resolutions, it's just like a rolling circle. Put your money over there, put your homes over there where they can just go right out onto 378. Leave these poor people alone. The amount of people and homes you have disrupted since you've been on this Council is appalling.
- Brad Snyder said his thought with hearing other people's comments on how the road has changed over the past 10 to 20 years and it did have a country feel 20 years ago. I-78 you heard it but it was somewhat quiet. Since Bethlehem did what they did, he personally is at a point where if changing it will allow somebody to buy him out, then he's for it. If he's going to have a warehouse in his neighbor's yard, and he's not going to get bought out, then he probably doesn't want to stare at another wall. His noise has tripled since Bethlehem put in their crap across the street and he would be in favor if everybody gets bought out and they can move to somewhere peaceful again, but that's not in his hands. He had something else but he can't remember.
- Carol Reilly Rice said lived right up the street from the church. She would like to say that the baseball field is not owned by you. It's leased to you for 99 years; not sure how many years are left on that lease. The ordinance where the trucks and the traffic come out to Easton Road, right now the warehouse that is the closest to Cherry Lane, there's a chain up there. She thinks we need police to be up there on a regular basis. There's a van that comes every morning and drops a bunch of people to work there. The van picks them up in the afternoon. There are also cars that come out to Easton Road that drive right next to the chained fence. She has photos of it. They are driving over the trees, over the dirt, because they do not want to drive to the area over in Bethlehem where they are supposed to come in and out of that new whatever it's called over there. She wants to know what's going to happen to the church and the cemeteries. There are three cemeteries. She sits on the board for the cemeteries. There has been no notification. She was at the church last night and they had no idea that anything was going on about the rezoning. There is also a school bus stop at the end of Mockingbird Hill, which is right across from the church. They have picnics and all kinds of things there. So now we are going to come out of church to go across the street to the grove and there's tractor trailers whizzing by there. The noise is outrageous. The tractor trailers, how long is it going to take her to get home from work from Cherry Lane to her house? It's a mile and it can take up to 15 minutes, just to get home because of the traffic. She's asking that you table this, you cancel it, you find somewhere else to put this stuff. If you want it next to your house, maybe you should do that but she doesn't want it next to her house. She doesn't care if you put small businesses in there. She does not care what goes in there. The

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people live there. We have lived there all of our lives. That is all farmland that has been handed down generation to generation. You don't want to tell us what you want to put there. You want to put warehouses there, you should come and live there. There are bright lights, there are loud noises. You can hear the music that the people are playing inside the warehouses at their house. Not only can you hear all the traffic on I-78, the racing like someone said especially the motorcycles, and the brakes coming down the hill. If you are going to put stuff there, maybe you guys should come out there and see what it's really like to be there before you change the rest of everything they have.

Mr. Banonis said that concludes the sign-in sheet for Ordinance No. 2023-01. If there is anyone else who wants to speak, please come forward so you can get sworn in.

- Earl LaFlamme said thank you for taking the questions today. Just a point of clarification confirmation. The GB-1 and GB-2 that's going to go to the GB, in looking at it, the usage does not really change as opportunities for what can go in there, but one thing, just for the people where it does impact them, there is a change to the setbacks and he would ask that be acknowledged. Ms. deLeon said so there's a difference in the two different zoning districts. Mr. LaFlamme said Mr. Treadwell if you could correct him, if his interpretation is incorrect, so right now with the GB-1 the setback is 50', front, side, back, for a GB-2 it's 30-15-30. With the GB it goes to 25-15-30 regardless. Attorney Treadwell said correct. The GB regulations are 25 front, 15 side, 25 rear, correct. Mr. LaFlamme said Mr. President, just for point, if you could offer the same respect to your right side as good as to your left side, that would be appreciated.
- Kelly Reilly Rice said her main question is why does it have to be changed to LM, why can't it be changed to GB. Why can't it be changed to what the other section of this is being changed to if it's just for small business? LM to her changes it to put warehouse there but if you are going to put a little coffee shop there, that's a little bit different than putting a million square foot warehouse in there, so her question is why can't it be zoned GB instead of LM. Attorney Treadwell said it could be. That's the decision that this Council makes after having a public hearing and hearing all the discussions. It could be zoned GB, it could be zoned LI, those are decisions and the reason we have these ordinances advertised and the reason we have these public hearings are so that people can come and express their opinions and give their comments and then Council can make a decision as to what the most appropriate zoning designation for that area is. Ms. Rice said is the final decision today then? Attorney Treadwell said as you heard Mr. Banonis say earlier it might be. Once we close this hearing, then Council will have the opportunity to vote on whether to adopt the ordinance or not. He doesn't know what's going to happen but we'll have to see. Ms. Rice said she's all for small businesses but she's just not for warehouses.

Attorney Treadwell said for the gentleman who just spoke before, 25-15-30 are the yard requirements, he thinks he read the LM requirements. The GB ones are 25-15-30. Ms. deLeon said would they be nonconforming then, the people that got reversed. Attorney Treadwell said people that live on Easton Road now. Ms. deLeon said no, we're talking about the GB, whoever was up here. Attorney Treadwell said if somebody lives in the GB district and they are closer than one of those setbacks, then yes, they are nonconforming. They don't have to do anything about it. Ms. deLeon said unless they want to add on or do something with the zoning. She wants to ask the question to the audience. Most of the people are concerned about the Easton Road rezoning, is there anybody here except that other person that got up with the GB district, anybody here. She thinks people are comfortable with the changing of that on 412 and 378, it's just the Easton Road one. She asked can we make motions during public hearings? Attorney Treadwell said no, he wants to wrap up the hearing and then we'll take whatever action Council wants to take.

Ms. deLeon said she really feels there are significant issues here and she'd like to thank Kathy as she was on the Planning Commission and she does remember the City of Bethlehem sending us stuff so she's not making it up. There was participation with the Township, just to set the record straight.

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Go back and check the minutes, people are good at doing that. So, she guesses what she is hearing is a lot of things that the administration needs to look at and if a meeting with the City should be set up and the President could be on that and work...Mrs. Yerger said what you are saying Priscilla is you'd like to continue this discussion about the Easton Road one. Ms. deLeon said if we can work separately to do that. Mr. Banonis said he thinks this discussion is more appropriate after we close the hearing before we decide. Right now, we are taking evidence on this. Mr. Inglis said Jason he has a question. How many homeowners live on Easton Road that are being proposed for the rezoning. Is there 50, is there 75, is there 100? Attorney Treadwell said he doesn't know that answer as to how many houses out there are occupied. He doesn't know the answer to that.

Mr. Banonis said an issue that came up before when we were talking about the overall zoning of the Township is something that's called a substantive validity challenge. That is if he understands it correctly that a developer can come in seeking to use some part of the Township and basically argue and file a lawsuit against the Township that we do not provide enough space for certain permitted uses so what we are proposing here is LM, and the only other part of the Township that is zoned LM is off of Applebutter Road adjacent to the landfill, is that correct?

Attorney Treadwell said that is correct. Mr. Banonis said so is the Township at risk of a substantive validity challenge at some point, he's not saying there is anything looming right now, but could the Township be challenged because of not having adequate or sufficient or large enough LM to accommodate the needs for somebody wishing to do something in the Township. Attorney Treadwell said he thinks the answer to that question, unfortunately is, it depends. The LM district that exists in LST now that is out along the Applebutter Road area is not that large and it's always a case by case basis as to whether the Township has enough land area zoned for each type of use that is common across the Commonwealth of PA, so if this ordinance were to pass and that strip you see on Easton Road is changed to R-40, it would make it less likely for someone to file a substantive validity challenge. Say we don't have enough area zoned for that LM, but he can't say he will guarantee it one way or the other.

Mr. Banonis said this would show a good faith effort to at least try to increase the LM area to accommodate those needs. Attorney Treadwell said and it adds the amount of acreage that is zoned LM. Mrs. Yerger said that doesn't preclude that we can't put small business in there. Attorney Treadwell said yes. Mrs. Yerger said so small business could be put in there. Ms. deLeon said but warehouses need to be taken out. The LM zone on Applebutter Road does have public sewer and public water so that's the ideal place to put it. She recalls when we had a Planner that used to work with the Township's engineer, Judy Goldstein. She always would say we are balanced in our zoning districts and that was a big concern to Council when we acquired the Polk Valley Park because there was a developer that wanted to come in there and put a large number of condos and whatever district that was before the park, we were afraid we were taking away that type of zoning away from the mix. She was very clear it wasn't. Attorney Treadwell said he also remembers a memo from Judy that said we need to look at our zoning map because we had issues with LI. So yes, it's been looked at before and the world keeps changing. If you don't change with it then...Ms. deLeon said we have real people living in real houses that we have to take care of. Attorney Treadwell said he's not advocating for it one way or another. He's explaining what it is. Ms. deLeon said she's advocating her point. She sees Mark writing away and making lists. Attorney Treadwell said if there's no more comment from the public before we close the hearing...someone spoke up in the audience.

Mr. Banonis said you need to identify yourself and be sworn in. Hold on one second. Sir, hold on, you have to be sworn in. Hold on for one second, he thinks there's someone else who wants to speak as well. Ma'am you need to stand up and we'll take testimony from these two additional and a third gentleman.

- David Landers said he's lived here since 1979. He's seen the changes coming and go. He was there when Bethlehem Steel was operating and the Coke Works was operating and he knows Ms. deLeon was a kid when he moved there. So, he's been around this Saucon Valley

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area for some time. His next move from his home in Saucon Valley is going to be to the pearly gates. The worst thing you can do is make it a LM strip of land. The worst thing you can do. Along that road you got the cemeteries, the church, the one building across from the church, that's a historical building. When they put the warehouses in, they said there would not be any trucks exiting on Easton Road or entering on Easton Road. That's a lie, they are doing it now. It's time you put a stop to it. That's one of the things you can stop. The other thing is if you put small businesses in there, a LM in there, you know you are going to have more traffic. That road cannot even support the traffic it's taking now. He turns around to get out of his driveway. He used to be able to drive out of his driveway, he'd look up and down the road and was able to get out in two seconds. Now sometimes it takes 5 or 6 minutes just to get out of his driveway. The worst thing you can do is make it a LM thing. He understands these people who would like to sell their houses. He's never seen a house there that went up for sale that didn't sell pretty quickly on that stretch of road in all the years he's there. He knows that some of the older people have died off and some new people have moved in and he knows what they are going through with the trucks. He hears them every day. They come down through there at speeds, he's telling you, he lives half a mile from Cherry Lane, and by the time a truck hits him, where he's living, they are doing 60 MPH. Some of them. They do quickly put their Jake brakes on. He understands the PD is busy and he supports them 100%. The thing you are trying to do here is wrong. Represent the people of LST as people of LST, not as a taxpayer, not as someone that doesn't matter. The wrong thing to do is make it LM and if you want to do that, he's going to tell you, he's holding out on his land. He won't sell it no matter what. He thinks everybody else should do that here too and that way we can control the whole thing no matter who comes we protest against them. No matter who wants to fight, we protest against them. No matter who wants to move into that area as it's LM, we protest against it. Thank you for listening.

- Donna Beltzner said she's lived in her house for 74 years. Her parents built her house when she was 5 years old with hammer and nails. Last session you said the Township is low on the LM properties you need for something or other. Are you just sacrificing us on Easton Road to accommodate you, so you have enough of the LM district? If that's the case, shame on you because she wants to live in her house. She's lived there when she was born and she was married and spent 50 years there with her husband on that property and she intends to stay there. Thank you.
- Frank Swett said the other gentleman had asked about the setback changes, which was a concern of his. If we are going from R-40 to LM, what is the setback change? As of right now, it's like 50'. Attorney Treadwell said he thinks the other gentleman was talking about the GB district. Mr. Swett said are you going to be able to put a warehouse up right against his property. How close would that be? Attorney Treadwell said in the LM district, the front yard minimum setback is 25', the side yard is 15', and the rear yard is 25'. Mr. Swett said does everyone realize that it is major league different from where we are now. Attorney Treadwell said what are your setbacks now? Mr. Swett said he believes it is 50' total, 20' on one side and 30' on the other side but it has to equal 50' all together in the R-40 district. He believes that is how it is, maybe Zoning has that information. Ms. deLeon said he's not here. Attorney Treadwell said he doesn't have that information in front of him. Mr. Swett said backing up what the other gentleman said, he's lived here since 1988, and these houses sell all the time, so if you are unhappy in your house, sell it. It's going to sell, the only problem is that you've given somebody or you've decided that the changes to an LM area that now people have found it desirable to purchase these properties and are stringing people along and they are giving them ideas of money up front, above and beyond of what they are going to get. They are also giving them offers but the contracts are unending contracts, so if you sign this to a developer, you better make sure there's an ending on your contract. Otherwise you are going to be drug along forever and will be locked in, you can never be able to sell. He personally feels that changing this are from R-40 to LM is a terrible idea and you want to do it to appease developers from outside the residents, but what about the people that live here and are paying the taxes and are happy there. We're happy there, we have no desire to sell, we have no desire to move, it's a great location. Yes, it's noisy, yes it's a little

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slower on the road now with the trucks, and more trucks will make it worse. So how would you like if we come along and we rezone your neighborhoods? He thinks your neighborhood might be a great LM area. He doesn't know where you live, but maybe we should look at your neighborhoods. This is our neighborhood and we all become like a family on that road. Changing this is going to destroy us. You are going to take a nice residential area and make it more business. Thank you.

Attorney Treadwell said he wanted to point out before we close the hearing that the Township did receive a letter from the Lehigh Valley Planning Commission (LVPC) dated February 24, 2023 that basically said the proposed amendments were consistent with the LVPC's overall plan. He also wanted to point out that the ordinance was advertised, and we have three affidavits prepared by the Township Manager, one is an affidavit of legal advertisement that states when the ad was run in the Express Times on March 3rd and 13th. There's an affidavit of property posting that states the properties were posted and there are pictures and there's also an affidavit of mailing that states that the proposed notice and advertisement were mailed along with the map to the property owners who own property within the areas proposed to be rezoned in the proposed Ordinance 2023-01. Those are all part of the record.

MOTION BY: Mr. Banonis moved to close the hearing of potential adoption of Ordinance No. 2023-01 - amending the zoning map and text for 378, 412 and Easton Road areas.

SECOND BY: Mr. Carocci

ROLL CALL: 5-0

Attorney Treadwell said before Council discusses or decides what to do with the ordinance, in order to clear up the mistake he mentioned earlier, he would ask you make a motion to replace Exhibits 3 and 4 in Ordinance No. 2023-01 with the new ones that shows those three properties not being changed from R-40 to GB.

MOTION BY: Mr. Banonis moved to replace Exhibits 3 and 4 with the revised maps as stated above by the Solicitor.

SECOND BY: Mr. Carocci

ROLL CALL: 5-0

Mr. Banonis asked Mark if he had any questions. Mr. Inglis said no. Mrs. Yerger said are we doing all three at the same time? Mr. Banonis said it's a single ordinance with all three. Attorney Treadwell said it's the ordinance, as written, and what's in front of you tonight would change all three areas shown. Mrs. Yerger said she would like to pull out the Easton Road one and have more discussion on it here. The other two she's fine with, but that's just her own opinion. She thinks we need to look at the LM and better understand it and have the community understand it better too. Mr. Banonis had no questions. Mr. Carocci said he had no comments. Ms. deLeon said Linc did we get a Planning Commission letter, should that be in the record. Attorney Treadwell said yes, there's a letter from the PC that they recommended approval of both ordinances. Ms. deLeon said no conditions? Mrs. Yerger said it's in your packet. Ms. deLeon said she's with Sandy and she started off saying this all started in 2020 when Lou Pektor came and wanted to make offers and buy people's houses and offer them a little bit above market value and we sent him packing and said you got to come back with a plan for traffic and he never came back until this got on the agenda now. She really feels with Sandy that we should pull the Easton Road one out and she can make a motion to do that, but she's not sure how to do that.

MOTION BY: Mr. Banonis moved for approval of the adoption of Ordinance No. 2023-01 to amend the zoning map and text for 378, 412 and Easton Road areas, as written.

SECOND BY: Mr. Carocci

Ms. deLeon said her understanding is correct that this are the three of them, the 412, 378 and Easton Road areas. Attorney Treadwell said as it's written it includes all three.

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

Mr. Banonis said he's gathering that people are here for the above hearing and they may want to adjourn at this point. If that's the case, he is going to suggest that we take a 5-minute recess to allow those individuals to leave if they so choose. He would ask if you are leaving, please leave in an orderly manner and he'll make a motion to take a recess.

MOTION BY: Mr. Banonis moved to recess and reconvene at 8:46 p.m.

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

B. PUBLIC HEARING AND POTENTIAL ADOPTION OF ORDINANCE NO. 2023-02 – AMEND ZONING MAP – 412 ACRES

Mr. Banonis said this is the Public Hearing and potential adoption of Ordinance No. 2023-02 to amend zoning map for 412 area.

MOTION BY: Mr. Banonis moved to open the hearing.
SECOND BY: Mr. Carocci
ROLL CALL: 4-1 (Mr. Inglis – Abstention)

Attorney Treadwell said this is Ordinance 2023-02. Again, like with the previous Ordinance, 2023-01 there is a letter from the LVPC dated February 24, 2023 that's basically the same letter as they reviewed both ordinances in one letter and found them to be consistent with the LV Comp. Plan. (Mark Inglis joined the meeting) Attorney Treadwell said the Planning Commission (PC) also recommended the adoption of this ordinance and again, the Township Manager has prepared an affidavit of legal advertisement that states it was advertised in the Express Times on March 3rd and March 13th, an affidavit of property owner mailing that states it was mailed to the property owners who are reside and own property in the area proposed to be rezoned, and that mailing took place on February 17, 2023 and then an affidavit of property posting that says the properties were posted on March 6th and March 7th along with pictures of where they were posted and areas determined to be sufficient to notify people of this hearing. Those are some house cleaning items. Moving on to the substance of Ordinance No. 2023-02. This is a different amendment to the zoning map; all of these properties are located in the 412 area. There are no text amendments with this ordinance, it's purely a zoning map change, so we can go straight to the map. As you see on the map, there are various different areas that are proposed to be changed from what they are currently designated from a zoning perspective to GB. As we discussed previously, the GB zoning district that was part of the last ordinance that was adopted, these properties now would be changed out in the 412 area to GB. The first area is up on the top left, it says area changing from R-80 to GB. That's the small uncolored white area where the arrow is pointing that is approximately 2.5 acres. Again, it's R-80 and would change to GB. Down at the bottom on the left-hand side there's an area that is shown where the arrows are pointing changing from R-40 to GB. That's approximately 31.5 acres total. Those are on the screen in front of you above where GB is now, there's an area R-40 that would be changed to GB and below where the GB is now there's an area that would be changed to GB. On the right-hand side, on the bottom going up, the first area is the yellow triangular piece in the center of the screen which is currently zoned R-12 and this ordinance proposes to change it to GB. The dark line that goes down the middle between the R-12 and GB is Route 412 so you know that on both sides of 412 it would be GB. Moving up from the bottom is the GB-1 to GB and it's 15.96 acres. The next area is the GB-2 to GB, which is 3.70 acres, part of the previous ordinance that was adopted. The next area is zoned mobile homes which is the turquoise blue color. That is proposed to be changed from mobile home to R-12 to match the R-12 that's to the right of it, the yellow color, so that turquoise blue color would go to yellow. There's the area that's a black square within the turquoise area at the top of the page that would be changed from mobile home to GB. That's approximately 7.18 acres. If you slide up to the next exhibit, this exhibit shows what this area would look like in terms of zoning if this ordinance were to be adopted. The area in the red with the grayish under color and the red crosshatch, that's the entire GB area that would now be created out along the 412 corridor. On both sides of 412, the properties, the front would be zoned GB. The R-12 to the right was the area he discussed previously and it used to be mobile home park district, now changing to R-12 to match the R-12 yellow to the right. That is the extent of the proposed map changes in this ordinance. There are not text changes, so it's solely whether or not Council wants to change the map in the way he just described.

Ms. deLeon said explain the difference between the one we just voted on and this one. Attorney Treadwell said go back to Exhibit 1, the one we just voted on, do you see where it says GB-1 in purple, then the light blue little stem that goes up from there. The ordinance that you just adopted just changed those to GB. This is acknowledging that those changed to GB from GB-1 and GB-2.

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That's the only thing that happened in the proposed ordinance in the previous ordinance in the 412 area. The other changes happened on 378 and now out on Easton Road. This ordinance acknowledges that GB-1 and GB-2 went to GB and then changes some of the R-40 to GB, some of the R-80 to GB, some of the R-12 to GB as he just described each of those color blocks. It also changes some of the mobile home to GB and some of the mobile home to R-12.

Ms. deLeon said why did you separate these ordinances? Attorney Treadwell said we as the staff thought it would be less complicating than trying to do them all at once. Ms. deLeon said it's more complicated. Attorney Treadwell said if you slide up again, that again what you see in front of you on the screen is what it would look like if this ordinance were to be adopted.

Mr. Banonis said Mark any questions or comments. Mr. Inglis said no. Mrs. Yerger said no. Mr. Banonis said he asked earlier with regard to the other zoning, with regard to any development that takes place within this proposed zoned area, it would still be subject to all the Township zoning and all the land development approvals. Attorney Treadwell said yes, all the map change would do, it would allow certain uses that are permitted in GB to be proposed on the areas you see now that are GB. Any land development or any other type of application needs to come before the Township showing what they want to do and that it's going to comply with the other Township ordinances. Mr. Banonis said there's nothing in here that would prohibit the current uses of the properties within those areas. Attorney Treadwell said correct. Mr. Banonis said he knows a number of residents that had asked questions in the first hearing. What we're proposing here would not make any changes to their taxes as long as they continue to use their properties consistent with their current use. Obviously, if they were to put in a pool or build a bigger house or do something different, that would affect their tax. Attorney Treadwell said correct. Mr. Carocci said he had nothing. Mr. Inglis said right now on Reading Drive there's a junkyard, is it to be his understanding that right now it's zoned R-40. Attorney Treadwell said go back to the previous map. Right now, which property are we looking at. Mr. Inglis said Reading Drive, the junkyard, technically non-conforming. Attorney Treadwell said yes, that is currently zoned R-40 and if this ordinance gets adopted it would be zoned GB. Ms. deLeon said she doesn't have any questions. Mr. Banonis said just so he's clear, properties that are within this area that are being proposed are currently being used and consistently used with what's being zoned. As he understands it, there's a nursing home, there's a junkyard, there's the Giant Shopping Center, there's a garage or some other facility that's down on the corner of Apple's Church Road. Attorney Treadwell said there are some properties that are being used in ways other than what the current zoning is, he can't say all of them, but there are some.

Mr. Banonis said there are a number of people who signed up on the sign-up sheet for Ordinance No. 2023-02. All of those who signed in, he can read off your names if you need a reminder: Paul Sell, Craig Hay, David Becker, Christina Zeigafuse, Kevin Jordan, Ron Artle, Julius Schleren, and Matt Connolly. Please stand up to be sworn in. Two other people in the audience gave their names, Britt Ash and Stacy Mizisnski, were sworn in.

- Paul Sell said he bought it back in 1982 from Guy Lesser. He put a new home up and everything. He'll go with the plan whatever you guys want to do, but you should listen to us, what we'd like to do. We finally got a road up there. We didn't have a road. We got water, we got sewer lines going up the street, but can't hook in. We have a pump station down at the end of his road that the Giant pumps over and they pump that out all the time. Traffic is horrendous. You can't make a right off their road and go down to the intersection of 412 and make a left because you are afraid you are going to get killed. People are coming down the road from Leithsville, coming into town, all hours of the night – Jake brakes. Where are the signs for brake retarders to not be used? The police should have that there and sometimes the police are sitting down there, and that's all good and dandy, but if they don't go out and get them, and tell them they aren't supposed to be using the brake retarders coming into Hellertown. Traffic light – we need a traffic light. We are right across from Meadows Road. We can't use Meadows Road because of the bridge but up where Giant is

where that traffic light is, if they would only put a road going straight across over to Springtown Hill Road, he could have come down, made a left, went up and made a right, and came right out to the traffic light and waited and then drove down the road and not be afraid to get killed. Then he finds out through the grapevine that they want to put a mini mall across from Giant. Attorney Treadwell said Sir, who told you that? Mr. Sell said there's people that talk, that's why you are buying all the land there. Attorney Treadwell said whose buying it. The Township doesn't buy land. Mr. Sell said you are rezoning it so people can do that. Attorney Treadwell said he has never heard one person say anything about a mini mall in that area in 20 years, not one person. So, if that is in fact the case, then somebody out there has a lot more information than he does. Mr. Sell said when are we going to get the septic hooked up. Mr. Banonis said Sir, that's an issue you need to address with the Lower Saucon Authority (LSA), we're not the water authority. You'd have to go to the building next door and speak to Bill Ross as to what the LSA is doing in terms of hookups or anything else. Mr. Sell said we've been living there 15 years. Mr. Banonis said we can't help you with that, Sir, we are not the water authority or the sewer authority, we are the Township Council. Mr. Banonis said we can't help you with that as we don't have any control over that. It's an independent authority that controls the water and sewer in the Township so we cannot dictate what they do. They are independent and you have to take your concerns to them. Mr. Sell said can you do anything about the Jake brakes and stuff like that and the trucks coming in. Mr. Banonis said it's 412 and a state road, which is PennDOT and it's not a Township owned or controlled road, so that's an issue you'd have to take up with PennDOT because it's their road. We don't own it; we don't control it. Mr. Sell said it sounds like you really don't care about it, you just... Mr. Banonis said it's not that he doesn't care about it, he's not passing the buck, he has no control over it. This Township Council has no control over it. Mr. Sell said he's been here 25 years and he knows how they pass the buck. Mr. Banonis said he's sorry you feel that way Sir.

- Craig B. Hay said he also lives in the Bermuda Triangle which you guys don't want to talk about. The following is a legal disclaimer, anything said by me that is not an obvious and/or approval or fact may be considered his opinion. Last time he looked he still is allowed to have one of them. Unfaithful servants and those few who actually care. Much obliged for your campaign of lies, missions, this information, misdirection, propaganda, and cannery, so what's going on. The indirect benefits to money interest, interest outside our community are obvious. He will repeat that, interest outside our community. The benefit to those who lured over our future is there if you care to look. What is not clear and what we all want to know is what's in it for us? Higher taxes, increased vehicular traffic, increased accidents and road kill, future runoff into the Saucon Creek, excessive truck traffic and noise at all hours, more litter, worse roadways. He can go on all night, what a deal. We are all residents of Hellertown Park. Hellertown Park must be on the wrong side of 412. Living here we've seen sewage, repeatedly promised. Millions of taxpayer dollars wasted on nowhere studies and zero sewage. When Giant's money came calling there was zero infrastructure for them either but money talks and LST springs to action providing a holding tank at the intersection of 412 and Springtown Hill Road behind the fence and it's for Giant's crap. Money talks, citizens balk. To the present, money comes calling again. Money interest outside of our community trumps those of the citizen taxpayer who is your boss. Follow the money, we've been here since the beginning, but remain denied. This was, this is and this must remain our community. It is not your empire. Hellertown Park has zero value in the minds and plans of the powers that be. We are pawns holding up your future. Hellertown Park has lost all credible ties, severed by our own governmental body. Hellertown Park has the right; Hellertown Park has the ability and Hellertown Park has the precedent to cease from said Township. We appeal to the County of Northampton to hear our pleas. Our community would then benefit from the protection of the County ending a range of tyranny. Money is talking again. Citizens will be walking next. Today it's us, tomorrow it may be you. Short-term you have the power to seal our fate. Long-term we possess the power to seal yours. As this body acts tonight, you shall seal your own fate with judgment waiting in the rings. Everyone is watching, everyone is watching you. Disrespectfully yours, Craig B. Hay.

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- Christina Zeigafuse said the mobile home park you guys want to slice up, her question is we've been wanting sewer for years now. Now they have holding tanks down right where she lives near the Giant, that's all for the Giant. We had our septic pumped this year, right. We were told by Bethlehem Sewage there is no room for anymore expansion. Ms. deLeon said at the treatment plant? Ms. Zeigafuse said yes. So, what is LST going to do, build their own treatment plant? So, she'll put that to you. You forced us to take water, we have water, but it's substandard at best. There's black goo that comes out on your faucet. So, what are you going to do, have our sewage leaking in the streets? Go back to medieval times. Your choice.
- Kevin Jordan said like many of these people said, the traffic, everything else. The roads are freaking parking lots at rush hour. Where are you going to put more traffic? Pretty much what everybody said, the other concern that came up with the GB change, they could be 15' off the side, well that would put them 40' from his house. He has a small yard; he only has a couple feet at the one corner of his yard. It's a nonconforming property. So, if you gave them whatever you just said, they are 40' off his house, so he'll have a brick wall going up there, three stories tall. He doesn't think that's right, do you? He knows you don't care. Ms. deLeon said what kind of building are you talking about? Mr. Jordan said whatever they can put in. From what he heard, Ms. Keck the person with the bison's, the guy that lives across the street from the stoplight, he's in agreement with he doesn't know what company. There's a letter that was sent out last year proposing stuff that he got mailed and they basically needed that property to connect to that stoplight. Once they already got it, if this goes through, they are putting it in. Ms. deLeon said does anyone know what he's talking about? Mr. Banonis said Sir, this is your time to address Council not to have conversations with the audience. Mr. Jordan said sorry, he was trying to get the paper to show her. They have conversations and there's something already planned to go in there. They don't know what it is, but why would they buy five acres. Ms. deLeon said wasn't the LSA supposed to move that pump station. Attorney Treadwell said the LSA which is the provider of water and sewer in LST, not this Council, has a plan for a property located out in this area to move the current pump station to that property. He doesn't know if it affects what some of these residents have discussed regarding their sewer and he doesn't know who promised them sewer. Ms. deLeon said years ago we did studies out to Leithsville but she doesn't know whatever happened to it. Attorney Treadwell said he's sure there is capacity in the LSA sewer lines, he just doesn't know how close the line is out there. That's a question for the LSA. We don't handle that. Mr. Jordan said he found the letter from Keystone Consultants to Nannette Keck. This letter is to inform you that Nannette Keck filed a subdivision application for property located at 17 Mt. Pleasant Road, LST comprising of 7.3 acres identified as tax map parcel R7-11-2, the legal owner. The plan proposed a subdivision to create two lots. The 2.5-acre lot will contain existing dwelling and other structures, and the other 4-acre lot will be developed in the future. The sewage disposal in these and water supply for the subdivision shall be on-lot facilities. There are copies available at LST. Mr. Banonis said what is the date of the letter? Mr. Jordan said March 15, 2022. Attorney Treadwell said that's a subdivision plan that did go through this Township. The plan was subdivided. Mr. Jordan said he talked to the guy who has the house by the stoplight, and he says he's going to contract in two years to sell if this goes through. So, if you can't put two and two together... Attorney Treadwell said obviously the idea and what was involved in the LST Comprehensive Plan was to encourage economic development along the 412 corridor, that's the idea. Mr. Jordan said his other problem with that new GB you are only going to have a 15' side yard, that ain't right. It went from 50' to 15', can you change that at least. Attorney Treadwell said that's a minimum side yard, and any plan would have to come before this Council. Mr. Jordan said what do you do, rubber stamp it. They are going to use every ounce of land they can get their hands on. You know they will. Attorney Treadwell said when the plan comes before the PC, and the Council it will get reviewed to make sure... Mr. Jordan said he's sure in six months you are going to have a plan in front of you. It might come tomorrow as soon as you advertise it. Attorney Treadwell said you might be correct. He doesn't know.

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- Britt Ash said he lives at the tip of the spear on the R-12 map, you can see a little corner piece across from the old cemetery and Mt. Pleasant Road. Mt. Pleasant Road, we already have so much traffic coming off 412 down that road, it's a one-way road for people to come off of Leithsville Road. If we change this to GB and he knows the buffalo farm has sold two days ago, and he knows a person who owns the property across from the light, who also is under contract, so once they start developing this, how many people are going to be coming down Mt. Pleasant Road as they cut through his property now. He has 30 cars a day cut through his property already. How many more are we going to have when we bring in another business across from Giant. Are they going to buy up the whole triangle, the Bermuda Triangle as his neighbor spoke. What are we going to do here? His house is nonconforming. He's 12' from Mt. Pleasant Road, who's going to buy that. What kind of GB do we have? We have no plumbing, we have no sewage, we got no water. The Giant's got it. He's confused as to where the traffic pattern is going to lie. What are we going to do with this? He knows you say you are allowed to keep your house as it is, but when all his neighbors start selling and he's at the little tip that doesn't sell, what does he get left? That's how he feels. He knows progress is going to move through us, he just thinks we need a little more time to study this. We have people from out of town with deep pockets coming here, one investing in Hellertown or LST, whatever you want to call it. These people don't have our best interests in mind. They have theirs. He hopes you have ours. Mr. Banonis said you said on a daily basis there are 30 vehicles that cut across your private property, so they are trespassing on your property. Mr. Ash said they come down Mt. Pleasant Road, towards Leithsville and there is no exit, it says do not go onto Leithsville Road from there, in front of the cemetery, so these people come and turn around at the cemetery, and get back on 412 right from his driveway. Mr. Banonis said that would be 210 vehicles a week, have you contacted the police? Mr. Ash said absolutely we've talked to the police years ago, nothing's going to change. People are constantly pulling through that area because they can't go out back. They come down the road to go out to Leithsville Road, 412, but they are not allowed to exit that way so they turn around at the cemetery parking lot and come right through his driveway. He has 12-year-old kids. He's never complained but he thinks when we have more cars coming, more development there, what's going to happen. His house is going to become a thoroughfare for these cars.
- Andrea Wittchen said she would like to expand on a comment made earlier because a number of people have asked the question, what will happen to the value of my house if any of these zoning changes come in. Mr. Treadwell has given you an answer but he didn't answer your question. You asked what happens to the value of your house meaning the market value, what can you sell it for. He's giving you an answer as to what would your taxes be and what he's saying is it would not change the assessment of your house. The assessment is only a number to determine how much you owe in taxes. It has absolutely nothing to do with what the market value of your house is, so you have now heard him several times this evening completely side step the question of what will happen to the market value of your house, and yes, it's true, as a finance person she knows that it could go up if somebody wants it for commercial usage or it could go down if nobody wants it for commercial usage and nobody is willing to buy it as a house. So, nobody knows for sure, but you only got an answer to a question you didn't ask. Attorney Treadwell said he'd like to respond to that because there were numerous questions about what happens to my taxes. Will my taxes go up and that is the response he gave about the assessed value? As far as what the fair market value, what will happen to the fair market value of somebody's house in a rezoning, nobody knows that answer. Ms. Wittchen said she would be happy to play this tape back. Mr. Banonis said Ma'am you yielded the floor, the Solicitor responded, do you have anything else Linc? Attorney Treadwell said no. Mr. Carocci said for about the past four or five years, he's been on the NC Revenue of Appeals Board. When people appeal their assessed value for their property, one thing the Appeals Board does is look at the market value or comparable sales to properties located in the near vicinity, so anybody who appeals their assessment and is lowered or increased, it's rarely increased, it's usually lower, it is based on market value, so the woman is completely wrong. The assessed value of a property is based on the market

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value as we look at comparable home sales if it's a residence in the vicinity so it's based on market value. You are completely wrong. Mr. Banonis said thanks Tom, we appreciate that insight.

- Stacy Mizisnski said her question is about your mobile home section. How did it get there initially? She believes it was because you had to have affordable housing somewhere. This map is pink and gray and she doesn't see many mobile homes. Do we have another mobile home section in our Township? Attorney Treadwell said no. Ms. Mizisnski said did that ever happen, because we needed a comprehensive plan that indicated affordable housing. Attorney Treadwell said he doesn't know how it got there. It's been there probably since the first zoning map was adopted. Ms. Mizisnski said here's the thing, if you are concerned about your map being consistent with current standards and Allentown, Bethlehem and Easton have to have this huge array of affordable housing and show how they make it and how they process their justification for it, you just want to kind of do away with it. Attorney Treadwell said there are various zoning districts in LST where you can do affordable housing and high-density housing. Ms. Mizisnski said how did you get mobile home, where did that come from? Attorney Treadwell said he told you he didn't know; it probably was there in 1971 or whenever the first zoning map was adopted. Ms. Mizisnski said she knows there's mobile home parks, there's one in Bethlehem Township. There has to be some reason why it started there. Attorney Treadwell said probably at the time the Township determined that was a good place for a mobile home park to be located. Ms. Mizisnski said you could have just made it rural and said there's place where we could have affordable housing. Attorney Treadwell said if it's rural you can't do them on a density that you...what the MH district did was provide more density. Houses much closer together, then in rural where you might have to have a one- or two-acre lot to build a house. Ms. Mizisnski said what is the definition for mobile home? Attorney Treadwell said he thinks the definition for mobile home is in the vehicle code but he can't recite it from memory. Ms. Mizisnski said in your zoning you have regs for General, Light Business, what's your reg for mobile home? How is that classified? Attorney Treadwell said he'd have to get the book and read the entire thing, but the idea of this...Ms. Mizisnski said but you don't know...Attorney Treadwell said Ma'am let me finish. Mr. Banonis said Ma'am you asked him a question and you interrupted him, please allow him to finish. Attorney Treadwell said the mobile home zoning district when they looked at it at the staff level, we determined that the R-12 provided enough density for anybody that wasn't to do that type of a development so it doesn't matter whether it's MH or R-12. Are you suggesting you want it to stay MH? Ms. Mizisnski said what she's saying is if you don't know how it got there, how you can eliminate it? Attorney Treadwell said because it's not needed anymore. R-12 does the same thing. Ms. Mizisnski said isn't there a reason why you do zoning. It just seems like you are missing something that could be, I don't know, liable for. It's obvious there's a mobile home for a reason. She's not advocating that she wants to live in a mobile home, but she's just saying typically that's a way to have affordable housing. If you are going to eliminate a whole entire section there, you might want to know how it was there to begin with. Don't you think? Mr. Banonis said Ma'am are you done? Ms. Mizisnski said yes, she's done. Mr. Banonis said he's tried to answer your question and you don't seem to like his answers, so he stopped trying to answer you, so if you have other questions you want to ask us you can. Ms. Mizisnski said she just wants to make it of the record that you don't have another mobile home section in the Township. Mr. Banonis said you already did that. You did that. Thank you.
- Georgiana Torrella was sworn in. She said can you list the specific business uses that are acceptable in GB that are not friendly except in R-40. Mr. Banonis said those are listed in the ordinance itself. Attorney Treadwell said the R-40 is a residential zoning district so there aren't many businesses there that are allowed in R-40. Ms. Torrella said she's trying to figure out the MH area that's being proposed to change to R-40. Attorney Treadwell said MH would go to R-12. Ms. Torrella said is that the newest map? Mr. Banonis said that's the proposed map. Ms. Torrella said we don't have a list of the specific uses that would be possible in GB that are not going to be possible in R-12 or R-40. Attorney Treadwell said R-12 and R-40 are residential zoning districts. They don't normally allow businesses, maybe

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a home occupation or something. GB is a General Business. That's where most of your commercial things go. There's a lot of things that are allowed in GB that are not allowed in R-12 or R-40. Ms. Torrella said so we aren't going to go through that. Attorney Treadwell said he can list them all if you want. Ms. deLeon said that would be good. Attorney Treadwell said they are all in the ordinance. Ms. Torrella said are there 20, is there 100? Attorney Treadwell said maybe 50, he'll read them. In the GB zoning district you are allowed a nursery, commercial greenhouse, gas station, bank, financial office with drive-in, laundromats, gas station, grocery store, craft shop, beverage distributor, car wash, studio for art, dance, music or photography, library, community center, cultural facility, hotel, motel, bed and breakfast, business office, research office, plant office and laboratory park, fire and emergency station, government facility owned by the Township, hospital and extended care facility, commercial outdoor recreation, commercial indoor recreation, theatre, club lodge or social business, restaurant, tavern, fast food, retail uses, store, convenience shopping center, vehicle and boat sales, truck and equipment sales, lawn, gardening and farm equipment supply sales, building supply sales, hardware, funeral home, office, medical and professional, barber shop, beauty shop, other similar personal services, public utility facility, nursery school or daycare, martial arts school, nursing home or extended care facility, residential uses, rooming house, conversion, general agriculture, forestry, motor vehicle repair shop, outdoor advertising signs. Then there's a list of accessory uses satellite dishes, fences, non-commercial pools, and tennis courts. That's pretty much your GB district uses. Ms. Torrella said one of the things you listed was hotel. Obviously, that would require a certain amount of space and may not fit into any of that area at all. She just wanted to make sure everyone was aware of what could possibly be listed. Her next question is have you considered the impact new businesses in the proposed GB zoning area could have on well and septic, other residential homes in the surrounding areas, businesses of a very small spot that would be backed up to a lot of residential homes. Mr. Banonis said we've already said the uses are contingent upon complying with the Township Zoning Ordinance and going through the planning process. Ms. Torrella said so if there was a negative effect, that would be considered at that time. Mr. Banonis said it could be. Ms. Torrella said it wouldn't move forward without that consideration. Mr. Banonis said it could be considered and depends on what the body decides. It goes before the PC and it could go before zoning. Attorney Treadwell said any development that is proposed on any property in LST has to show how they are going to get their water and sewer and how they are going to handle that whether it's on-lot or public. Ms. Torrella said she understands that part of the reason of these zoning changes that are being made is because there wasn't enough of a specific designation needed within the Township. Attorney Treadwell said not on this one, previous ones there were questions, but this one LST has pretty much GB. This was based on the Comprehensive Plan that was adopted in 2020 and looking at the 412 for economic development purposes. Ms. Torrella said what she was leading to was her question of which is what percentage of the Township needs to be zoned of each, if any. Attorney Treadwell said he doesn't think MH has to be part of the zoning designation anymore as long as there are other areas in the Township where you can do high-density type housing. Mr. Banonis said thank you Ma'am.

➤ Mike O'Toole was sworn in. He said he's a resident of the Pleasant Hill Subdivision that's zoned R-20. He just wants to back up a little bit about the map. He believes the Main Street that you've identified on the proposed map and existing map is wrong. He believes that's either Springtown Hill Road or he believes the tip of the spear there, he doesn't know if that's still Main Street or if that's Springtown Hill Road. Mr. Hudson said this is Mt. Pleasant. Mr. O'Toole said it's not, that's Mt. Pleasant Drive. Main Street is really Springtown Hill Road. Okay. That's kind of important. He just wants to tell you about his neighborhood five years ago, a builder came in and built roughly 10 new custom homes and young families have moved in there. At the bottom of their subdivision are bus stops in the area you are proposing there are probably three bus stops on those streets bordering that. It's a concern of his for the traffic reasons the prior speaker gave tonight. The tips of the spear of those triangles are very dangerous intersections. Where Springtown Hill Road intersects with 412, it's scary. If you try to go back to Giant and you live in his subdivision, you really

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are playing with fire every time you do it. You just got to be patient and make sure both sides are clear and you have to look several times to get out. The fact that there is no egress on 412 on the other side, on the Mt. Pleasant Road side, the problem with the turnarounds at the end of the street, it's bad. He doesn't know how we're going to accommodate that unless traffic is restricted off of the new GB section in that triangle from entering or exiting onto Mt. Pleasant Road or Springtown Hill Road. He just wants to say so much has been done on the sly here. He's lost confidence in this body because five years ago that R-20 area was zoned R-40 and it was changed, and you might remember this Mr. President because you at the time you were on the board and he spoke before the ZHB. It was zoned R-40, there was a lot of variances up to 300% on variances just so they could build homes and by changing it to R-20 that gave them different setback allowances that enticed the builder to build those lots. Nobody in their neighborhood knew it was zoned R-20 until after the fact because he doesn't get the, what is the Times out of Easton, the Easton Times, and he wasn't home on March 3rd or March 13th, legally he's supposed to be notified but realistically there's no way he knew about that. He found out about what was going on here tonight basically yesterday. He got a text from a neighbor. It was very disturbing to him that this stuff is being voted on tonight without consideration of a traffic plan, a traffic study, or any acknowledgment to restrict what he thinks are kid friendly spaces now for the Mt. Pleasant Road area where he knows there are two bus stops there now and at the bottom of the Pleasant View Subdivision on Mountain Hill Drive. There are young kids there and they walk that route. If you change that area to GB, there's going to be a lot of traffic and it's very concerning to him. He's very glad he doesn't have small children. Thank you again for letting him speak.

Mr. Banonis said that concludes...someone in the audience was speaking. Mr. Banonis said Sir, I'm not recognizing you, okay. Someone said I don't recognize you. Mr. Banonis said okay. He thinks that concludes our hearing and concludes the witnesses.

MOTION BY: Mr. Banonis moved to close the hearing.

SECOND BY: Mr. Carocci

ROLL CALL: 4-1 (Ms. deLeon – No)

Mr. Banonis said Mark any comments or questions about the potential adoption of Ordinance No. 2023-02 amending the zoning map for 412. Mr. Inglis said no. Mrs. Yerger said no. Mr. Carocci said he had no questions. Mr. Banonis had no questions. Ms. deLeon said yes. She said when she looks at the white area where the GB is, where all the GB areas got merged, it's like a big area and when you look surrounding it, you see these residential zones and she just thinks that's too massive for that area and it's, she doesn't know what the word is, it's getting into their daily lives of the people that live there and she just can't support this. Mr. Banonis said okay, are you done? Ms. deLeon said yes.

MOTION BY: Mr. Banonis moved for the approval of adoption of Ordinance No. 2023-02 to amend the zoning map for 412 area.

SECOND BY: Mr. Carocci

ROLL CALL: 4-1 (Ms. deLeon – No)

Mr. Banonis said there might be some people who are not interested in the remaining items on the agenda, so he will propose we take another five-minute recess to allow anybody who is not interested in the remaining items to leave the Council meeting room.

MOTION BY: Mr. Banonis moved to recess the meeting until the people who are not interested in the remaining items leave the room.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

Mr. Banonis reconvened the meeting at 9:52 p.m.

C. PUBLIC HEARING AND POTENTIAL ADOPTION OF ORDINANCE NO. 2023-03 – REVISING CHAPTER 170 -VEHICLES AND OPERATION RESTRICTIONS, VEHICLES TRAFFIC/REVISING CHAPTER I70-23 – STOP INTERSECTIONS

MOTION BY: Mr. Banonis moved to open the hearing for the potential adoption of Ordinance No. 2023-03.

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SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

Attorney Treadwell said this is proposed Ordinance No. 2023-03 which would amend the Chapter 170 of the Township Code which is vehicles and traffic and it would amend that section by prohibiting truck traffic on Ringhoffer Road for the entire length, Sherry Road for the entire length, and Countryside Lane for the entire length, so those three roads would have no trucks allowed and it also changes the stop intersection at Pleasant View Road and Hillside Drive to turn it into a 4-way stop as it's currently a 3-way stop.

Mrs. Yerger said this comes at a very timely fashion since we had a tractor trailer stuck at the bottom of Ringhoffer Road as he couldn't make it off the bridge, and he crashed into the bridge, so this is very much needed. We are very lucky that he didn't destroy the bridge. Attorney Treadwell said it also increases the fine from \$50.00 to \$500.00 for violations.

Mr. Banonis asked Mark if he had any questions or comments on this ordinance. Mr. Inglis said he's good. Mrs. Yerger said she's fine. Mr. Banonis had no comments or questions. Mr. Carocci said he's good. Ms. deLeon said she has no questions. Mr. Banonis said nobody signed in on the sign-in sheet for this hearing.

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

MOTION BY: Mr. Banonis moved for approval of Ordinance No. 2023-03 revising Chapter 170 - vehicles and operation restrictions, vehicles traffic/revising Chapter 170-23 – stop intersections.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

5. **DEVELOPER ITEMS** – None

6. **TOWNSHIP BUSINESS ITEMS**

A. **REVIEW OF 2022 COMPREHENSIVE ANNUAL FINANCIAL REPORT**

Mr. Banonis said in accordance with the Budget Advisory Report (BAR), the Director of Finance will present Council with the prior year Comprehensive Annual Finance Report (CAFR). This report provides an overview of the Township's audited transactions and supplements the Auditor's DCED report filing and financial report typically received in June of each year.

Mrs. Gorman said as you can see, we are in good financial position even though we had some financial changes last year with the economy and other matters, but we are still in good shape. Almost all of the departments were within approved budget ranges other than data processing which we have addressed in this year's budget. If there are any questions, anything specific, she's here to answer them for you. If you would take into consideration the recommendations at the end of the report and provide motions for those, she can prepare resolutions for the next meeting. Ms. deLeon said don't we have to wait until April to make any adjustments in the budget? Mrs. Gorman said that's why we are doing it now. Ms. deLeon said oh, it's March. Mrs. Gorman said she's giving it to you ahead of time so that she can have everything ready for you. Ms. deLeon said she's just, forget it, you know what I mean. Mrs. Gorman said these are figures that were audited and those are the changes that our auditors have made and the required DCED filings have been posted on the DCED website and the advertising has been put into place. Ms. deLeon said her only concern is there was \$500,000.00 allocated to the baseball field on Easton Road. She's very concerned and her earlier comments were ...and now we are putting this baseball field in the middle of possibly who knows what.

Mr. Banonis said he thinks we need to look at that as there's been some representations by someone in the audience that we don't even own it which is news to us so we have to first investigate if the Township owns the property or leases the property. Obviously if we lease it, we do not want to spend

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that money. Ms. deLeon said she's glad she brought that up. Mrs. Gorman said she believes we own the ballfield. Mr. Banonis said we should still look at it to confirm. Ms. deLeon said the funding to the library was under budget, does that include the legal fees? Mrs. Gorman said legal has to be in legal. Ms. deLeon said legal has to be legal. She's not happy about that. She's learned how to highlight, she's learning.

Mrs. Gorman said these are the numbers from last year so what we are requesting Council to advise her to draft a resolution for the next meeting to move the funding for the Steel City Road project and the ballfields to the respective Capital Funds and the rest of the additional revenue we could move to our Operating Reserve Fund unless Council has any other projects they wish to look at. The other item was to classify the American Recovery Relief Funding to expenses that we've already budgeted for and incurred and that way we can just move that to our Capital Fund and she can do the proper filings in April. Mr. Banonis said do we have to make a motion to reallocate this money? Attorney Treadwell said yes.

MOTION BY: Mr. Banonis moved for Cathy to make a resolution with regard to these recommendations.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

Ms. deLeon said she'll vote yes, but we just talked about the \$500,000.00 that's in this motion. Mr. Hudson said if we move and decide we can't do it, we can move it back. Ms. deLeon said will that be on the next agenda? Mr. Hudson said yes.

B. RESOLUTION #34-2023 – CREATE A TEMPORARY FIRE SERVICE CAPITAL PLAN SUBCOMMITTEE

Mr. Banonis said a subcommittee of the Fire Services Committee to review the Capital Assets of Lower Saucon Fire and Rescue and to make recommendations to Council in the form of a long-term strategic plan.

Mr. Carocci said if Ty Johnson and Scott Krycia are still there, and they want to come to the table, they can talk a little bit. Fire Services basically decided we need to do some five, ten-year planning for equipment, firehouses, level of volunteers and funding and we wanted to have some community input there with some people with some expertise. So obviously it would be the volunteer firefighters and himself as liaison, as we wanted to keep it small. From the community, Dave Spirk as he's a builder, and understands about our firehouses that are 80 years old, some older. What that's going to need. Then the two names that didn't make it for the agenda are Tom Barndt who has agreed to be on this subcommittee as well as Donna Louder from Steel City. He wanted someone from Steel City because of all the transition in the past year. Scott and Ty if you talk a little bit about what you feel the committee will be doing and then the recommendations.

Mr. Krycia said he's the President of Lower Saucon Fire Rescue (LSFR). The idea of this committee is to basically look at fire services as a whole for five and a ten-year plan. They had issues with buildings, apparatus, manpower, finances, everything and then come up with some kind of comprehensive plan that we can use to kind of steer the fire services into a positive direction and a little bit about the fire company. Their merger is complete with Steel City, that's a done deal. Mr. Banonis said congratulations again. Mr. Krycia said thank you, that was quite a process, but it's good. When he started in the fire company in 1990, and they ran about 100 calls a year at Leithsville. If they actually hit 100 calls, they got pizza, which was the big thing at Leithsville. That usually happened in December. Now they are running in excess of 800 calls a year. Mr. Banonis said that's a lot of pizza. Mr. Krycia said it's a lot of calls, and it's a lot of pizza too. It's a lot of calls, it's a lot of man-hours, it's a lot of staffing. There's a lot that goes on behind the scenes and that's why we decided to talk to Fire Services and try to put some committee together so they can steer themselves towards a goal in the future for serving the community. He'll turn it over to Chief Johnson.

Chief Ty Johnson said one thing he'd like to add with the apparatus is and this committee would be if we have to downsize the fleet, what kind of apparatus do we need to meet the needs of the

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community. There is an apparatus study that was done several years ago that they are going to revisit to see if some of those specialty pieces of apparatus that were recommended in there, if we truly do need them and start working towards purchasing the proper equipment we need. They are set up pretty good with what they have now and they could probably trim it down a little bit but that's part of what they are going to study here.

Mr. Carocci said the goal would be to come back to Council in the fall with at least some preliminary recommendations and hopefully by the end of the year have a final report to Council. It would be good for Council to have as to what the thinking was and all that.

MOTION BY: Mr. Carocci moved for approval of Resolution #34-2023 to create a temporary Fire Service Capital Plan Subcommittee.

SECOND BY: Ms. deLeon

Ms. deLeon said Ty how long ago was that study done? Chief Johnson said he would say it was 2016 or 2017. Ms. deLeon said prior to that when you weren't all together yet, you guys did come up with plans and that's how we paid for equipment. You all had to agree to a piece of equipment and that kind of stopped there for a while, so she's glad to see you are looking at that again because it's fiduciary responsibility and she thinks you need to show us why you need something and how it's going to benefit the community so we can support it. She's glad this is being done because she's asked and she's glad it's happening.

Mr. Banonis said to be clear, this isn't just fire apparatus assets, these are all assets of the company. Chief Johnson said correct, he's just speaking on the portion of operations. Mr. Banonis said which makes sense. Chief Johnson said we definitely have aging firehouses and there again too, do we need more, do we need less. Mr. Carocci said even the locations of these have changed over the past 8 years, not the location of the firehouses but where residents live and where businesses are have changed. Everything is going to be looked at and they will come up with some recommendations.

Ms. deLeon said we'll have that prior to the budget. Mr. Carocci said at least preliminary ones before the budget and the final by the end of the year.

ROLL CALL: 5-0

C. RESOLUTION #35-2023 – APPOINTING SPECIAL FIRE POLICE

Mr. Banonis said Resolution #35-2023 has been prepared appointing Special Fire Police for Lower Saucon Fire Rescue.

MOTION BY: Mr. Banonis moved for approval of Resolution #35-2023 – appointing Special Fire Police.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

D. COMMUNITY POOL 2023 REIMBURSEMENT PROGRAM

Mr. Banonis said discussion and action on the 2023 non-profit pool reimbursement program for residents. Mr. Hudson said in the budget in the fall we passed we would pay \$75.00 for a seasonable pool pass, and diving a little deeper into this, there's different seasonal pool passes, so we have individual youth, individual adult, individual senior, individual family. The staff has recommending that we set limits on all of those so individual youth would receive a \$35.00 reimbursement; individual adult would receive \$45.00; individual senior would receive \$55.00; and a family pass would receive \$75.00. It closely resembles what happened in 2022.

Ms. deLeon said why is the individual adult at \$45.00 and the individual senior at \$55.00. Aren't usually seniors less expensive than individual adults? Mr. Hudson said the prices that we...Ms. deLeon said she knows it was last year, but she didn't catch it last year. Mr. Hudson said we didn't do this last year. Ms. deLeon said where did she see the 2022 rates. Mr. Hudson said that's in the pool rates he showed you on the second page. Ms. deLeon said can we reverse that and have seniors pay less than an individual adult, isn't that the way it works. Mr. Hudson said the senior is going to get paid \$55.00 back and the adult is going to get \$45.00 back. Ms. deLeon said sorry, she missed it, and good. She just misread it.

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MOTION BY: Mr. Banonis moved for approval of proposed pool reimbursements that are provided in the Township Manager’s memo of March 14, 2023.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

E. RESOLUTION #36-2023 – ADDITION OF AN OPEN SPACE COMMITTEE

Mr. Banonis said discussion and possible action of adding an Open Space Committee. Mr. Carocci said have \$9 or \$10 million in our Open Space Fund, and he’d like this committee to be proactive and solicit possible landowners for open space, certain pieces of property and to be focused on that. Right now, it’s kind of a subcommittee within the EAC. The EAC is doing a lot of good work though. They are working with the electronic recycling events, hopefully a native plant sale this spring, road clean-up and they are going to sponsor a rain barrel event on May 5, 2023 at Seidersville Hall. It’s great that the EAC does that, but he thinks we need to be more proactive with the money in the Open Space Fund and have a group that focusses on that solely.

Mr. Banonis said he knows with regard to the individuals that are currently on EAC, there’s been a number of individuals who have physical limitations, who have been unable to go out and physically walk the properties that are being proposed, is his understanding correct? Mr. Carocci said there were a couple. Ms. deLeon said are they still on the board? Mrs. Yerger said yes.

Ms. deLeon said this is something the EAC should be doing and they did the score card and they go out to the properties. She thinks we have an active EAC. Mr. Carocci said they are active and you’ll get a score card from this Open Space Committee too. It allows more people to participate as well. The EAC has actually never had a lack of members. We even have Associate members of the EAC which in other committees we don’t like in Planning, Zoning or even the LSA. So, there’s plenty of interest and it gives people opportunity to be involved and it gives us a group who can really focus on open space. Ms. deLeon said absolutely, she knows all about the EAC as she was one of the ones who voted in favor of it and formed it. She knows all about what the EAC is supposed to be doing and about the Associate members.

MOTION BY: Mr. Carocci moved for approval of Resolution #36-2023 – addition of an Open Space Committee and we move forward on acting on Open Space.
SECOND BY: Mr. Banonis
Mr. Banonis said just to be clear, you are making a motion to approve Resolution #36-2023. Mr. Carocci said yes.
ROLL CALL: 4-1 (Ms. deLeon – No)

F. PLANNING COMMISSION MEMBER APPOINTMENT

Mr. Banonis said recommendations to appoint Jennifer Peters to the open position on the Planning Commission with a term ending on 12/31/2024.

Mr. Carocci said he’s on the Planning Commission and he looked at her background, which is commercial real estate which he thinks, as a member for the past 7 years, is something we don’t have on Planning and something we could use on Planning. She has commercial real estate background.

MOTION BY: Mr. Carocci moved for approval of the appointment of Jennifer Peters to the open position on the Planning Commission with her term ending on 12/31/2024.
SECOND BY: Mr. Banonis
Ms. deLeon said she doesn’t have her resume in front of her. Mr. Inglis said Priscilla, she’s a solid person. She’s a good person. Ms. deLeon said that’s fine but she’d like to see it on paper. She asked Mark to provide resumes when he makes recommendations for people. Mr. Hudson said yes.
ROLL CALL: 4-1 (Ms. deLeon – No)
Mr. Banonis said Mark, he doesn’t need the resumes as he trusts his recommendations. Thanks. Ms. deLeon said she doesn’t mistrust Mark’s recommendations.

G. AUTHORIZATION TO HIRE A POLICE OFFICER

Mr. Banonis said an officer retired from the Police Department during the month of March and Township staff is requesting permission to fill the Police Officer's position.

- MOTION BY:** Mr. Banonis moved for approval to fill the open Police Officer's position.
SECOND BY: Ms. deLeon
ROLL CALL: 5-0

H. EASEMENTS WITH TOWNSHIP RESIDENTS FOR UPCOMING PROJECTS

Mr. Banonis said the Township has two upcoming projects that require us to enter resident's properties. Township staff has worked with these residents on easements for these projects to be completed. Those are outlined in Mark Hudson's memo dated March 17, 2023 regarding Black River Road and Reading Drive easements and fees.

Mr. Hudson said to do the Black River Road project and the Reading Drive project we are going to have to use a portion of resident's properties on both sides of these culverts. Black River Road is down to one lane with a stop sign and it is weight restricted so that's an important one as busses can't go over that. They will be giving 8 evergreen trees to one resident and they need to build two landscaping walls for two other residents on the downstream properties. Then we also have to remove some shrubs. Residents asked that we try to save the shrubs and replace them and if they die after they are replanted, we would replace those shrubs once. This was at the Black River Road project. On the Reading Drive project, they are actually going to have to install a temporary road through a resident's property at the top of the hill. That resident we made an offer if the Council approves it to pay them \$10,000.00 for five weeks of his road for people driving through their yard and then \$1,000.00 for each additional week. We do not expect to be there for more than five weeks but we put the precaution in. We will be sending residents in right next to their pool so the resident is being very cooperative. We are then taking a good portion of another property and many live trees that we have to take down due to the swing of the crane to put in the large concrete structure so that resident we've agreed to, with the will of Council, to replace 14 trees and provide them \$1,000.00 to purchase shrubs. Mr. Banonis said this makes sense. It's necessary to get these projects done.

- MOTION BY:** Mr. Banonis moved for approval of the proposed easements in the March 17, 2023 memo regarding Black River Road and Reading Drive.
SECOND BY: Ms. deLeon
ROLL CALL: 5-0

I. POLICE DEPARTMENT AND SEIDERSVILLE HALL BUILDING IMPROVEMENTS

Mr. Hudson said Township staff is recommending to use Malachowski Construction to relocate the access door to the Police Department's restroom facility. The contractor will be replacing an existing double door with a single door into the bathroom area. The contractor will then reuse the double door being removed from the Police Department in Seidersville Hall's basement area. A new wall will be built at the bottom of the steps and vents installed to assist with air movement, the double will be installed to add security to the basement area of Seidersville Hall. They will try to dry out the basement. It will be two projects in one. Township staff did have three companies bid this project with Malachowski being the lowest at \$7,150.00.

Ms. deLeon said Tom she never heard the story before. Mr. Banonis said he'll make a motion to...Ms. deLeon said she's speaking if you don't mind. Mr. Banonis said he didn't realize she was speaking. Ms. deLeon said to Tom she didn't realize this was happening and she was here when we built this building and no one ever said that and she apologizes. We hired good designers for this building and she remembers one of our employees was walking down the hall when they were putting the door on the men's room here, and the urinal was exposed so they had to switch the door around, true story. She apologizes for that and she's glad we are doing it.

- MOTION BY:** Mr. Banonis moved for approval of the quote from Malachowski to provide improvements to the Police Department and Seidersville Hall in the amount of \$7,150.00.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

J. SAUCON OVERLOOK DEVELOPMENT “RECREATION FEES” – RECOMMENDATION OF LOCATION

Mr. Hudson said the Township received a recreation fee related to the Saucon Overlook Development in the amount of \$36,410.00. The Parks and Recreation Board recommend that it go to Polk Valley Park.

MOTION BY: Ms. deLeon moved for approval of the recreation fee of \$36,410.00 related to the Saucon Overlook Development go to Polk Valley Park.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

K. LETTER OF SUPPORT FOR BETHLEHEM TRAIL GAP GRANT REQUEST

Mr. Hudson said the City of Bethlehem has asked LST to provide a letter of support for their grant application for closing the trail gap between the Saucon Valley Rail Trail and the South Bethlehem Greenway. They are just looking for a letter of support and there’s a sample of letter of support they provided.

MOTION BY: Ms. deLeon moved for approval to provide a letter of support to Bethlehem for their grant application for closing the trail gap between the Saucon Valley Rail Trail and the South Bethlehem Greenway.

Mrs. Yerger said this has been a long time coming and she thinks DCNR would approve this and give them the money. Ms. deLeon agreed. She said too bad we don’t have the SVP because we could add another letter supporting it.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-1 (Mr. Banonis – No)

L. RESOLUTION #37-2023 – INTERGOVERNMENTAL COOPERATION AND TAX ALLOCATION AGREEMENT WITH CITY OF BETHLEHEM – CORNER OF MORAVIA STREET AND BENNER AVENUE

Mr. Hudson said we spoke about this at the last meeting. Linc worked with their Solicitor and Resolution #37-2023 has been prepared regarding the property on the corner of Moravia Street and Benner Street that is bisected by the township line with Bethlehem. The attached Intergovernmental Cooperation and Tax Allocation Agreement is to be considered in reference to this property. Attorney Treadwell said this is the property that’s partially in LST and partially in Bethlehem and Bethlehem would provide the services and collect the taxes.

MOTION BY: Mr. Banonis moved for approval of Resolution #37-2023 – intergovernmental cooperation and tax allocation agreement with the City of Bethlehem – corner of Moravia Street and Benner Avenue.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

7. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JANUARY 18, 2023 COUNCIL MINUTES

Mr. Banonis said the January 18, 2023 Council minutes are ready for Council’s review and approval. Ms. deLeon said she’s glad you added her little ending phrase to the last sentence and you listened to the tape and it was in there like she said it was, so now the minutes reflect what was said.

MOTION BY: Ms. deLeon moved for approval of the January 18, 2023 Council minutes.

Mr. Banonis said just so he’s clear here, Mark, this is in our packet to what’s being added. Mr. Hudson said correct, the yellow is what’s being added. Mr. Banonis said the yellow was added and it’s on page 20, lines 32 to 55 and page 21, lines 1 to 5, correct? Mr. Hudson said yes.

SECOND BY: Mr. Inglis

ROLL CALL: 5-0

B. APPROVAL OF FEBRUARY 15, 2023 COUNCIL MINUTES

Mr. Banonis said the February 15, 2023 Council minutes are ready for Council’s review and approval. He had an edit on page 19 of 22, this was when Mr. Carocci was offering his Council report and this is at line 34, and he had gaveled and had said Ms. Wittchen, he thinks he said Ms.

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Wittchen, you are not being recognized and then it went on and he said Ms. Wittchen don't give me the finger, please conduct yourself appropriate here. If you can't do that, please leave Ma'am. He would like the minutes to reflect that he did not say Ma'am, the first two, and then he actually identified the person who was giving the finger. Ms. deLeon said shouldn't we listen to the tape like you did when she asked to have something added, we had to listen to the tape. Mr. Banonis said we don't have to listen to the tape, you requested to listen to the tape. Ms. deLeon said we don't do things the same. Mr. Banonis said he would request that edit.

- MOTION BY:** Mr. Banonis moved for approval of the February 15, 2023 minutes, with corrections as stated above.
SECOND BY: Mr. Carocci
ROLL CALL: 4-1 (Ms. deLeon – No)

C. APPROVAL OF FEBRUARY 2023 FINANCIAL REPORTS

Mr. Banonis said the February 2023 Financial Reports are ready for Council's review and approval. Ms. deLeon said on page 1 of 8, under Expenditures – Law, budgeted was \$211,180.00 and was spent up until February 28, 2023, you've already spent \$102,745.52. That is 48.65% of the budget and it's not even two months into the year leaving a balance of \$108,434.48. That is under Law so that is both the Solicitor and the Special Solicitor. Mrs. Gorman said yes, and Mr. Heitzman. Ms. deLeon said is there any way to break that up? Could you please give her the three separate totals? Mrs. Gorman said sure. Ms. deLeon said there's no way to break it up in the future like to put three different line items or is that too...Mrs. Gorman said it would end up being like that with every account. She can provide that information for you. Ms. deLeon said that would be great.

- MOTION BY:** Mr. Banonis moved for approval of the February 2023 Financial Reports.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

8. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER – MARK HUDSON

- We had an Associate member of the EAC resign so we are looking for a new Associate member. If anyone knows anyone who would like to volunteer, please have them reach out to him. He has one application submitted and they put an ad out on Facebook and Constant Contact.
- He's happy to announce the Township received a notice that we were rewarded \$200,000.00 for a grant through the Local Share Account Statewide program to replace the playground at Town Hall Park. It's very exciting news and they look forward to working to replace that playground.
- The Heller Homestead Barn ruins we talked about in February. They were cleaned up in the area of the arch. The Township staff with the SV Conservancy will meet with the mason to discuss the stone arch and the wall in the near future. Stacy will find a couple of photos.
- Tom had mentioned it with the EAC, but LST is joining with Upper Saucon Township to host two electronic recycling events this year. The EAC facilitated this and the first is Saturday, April 22 in Upper Saucon Township at the Hopewell Park at 4695 West Hopewell Road next to the Hopewell School in Center Valley, PA.
- The audio-visual installation is scheduled to begin on March 28, 2023.

B. COUNCIL/JR. COUNCIL

Jr. Council

- Rudra Thakkar left the meeting earlier as it was a school night.

Mr. Inglis

- He just suggests that anybody who has an interest in the Heller Homestead, take a drive by. They did a great job cleaning it all up and now we have a better visual with what we can work with and what our options might be. Unfortunately, he doesn't think they are going to be great, but at least they have some options now to look at. He thinks Mark is going to set up some meetings over there. That was productive, it took a day and a half. Mr. Banonis said what was under the debris, is there a pad? Mr. Inglis said it was dirt so there's no structure to it. The back walls are crumbling, the side walls are crumbling. The arch looks

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stable but he's heard some negative comments on that as well. He doesn't think there are any footers underneath, so that's going to have to be addressed. Like he said, unfortunately the walls are somewhat crumbling. You wouldn't want to stand on them, you can almost pull them apart with your hands. They will have to look at that but at least now they can walk in there and see what we have. That went well. Mr. Banonis said just to be clear, we want to discourage people from crossing the fence line. Mr. Inglis said it's all locked up.

Mr. Banonis

- He attended the quarterly Pension Committee meeting on March 8, 2023. Obviously, they are paying close attention to our finances and our pension funding and obligations. There's a lot of bad news that came out of that meeting. The S&P has been down 18.1%, it's the worse it's been since 2008. The Russell Index was down 20.44% and only energy was up and that was just marginally. Interest rates went up seven times in 2022. The bond fixed income market is horrible. It's at its worst level in history and went down 13%. Inflation was at a 40-year high, it's still historically high. They described inflation in particular with regard to food and housing as stubborn. Corporate earnings are beginning to drop. Rates are going to continue to go up and this was all before the multiple bank failures that occurred in the past two weeks. Volatility is at a high. The largest drop in any single day was 25%, well below the historical averages. Bonds are just as volatile. There was a slight rally in October 2022 but that's pulled back since. LST's portfolio in 2022 was down 13.13% which actually held up well compared to the market itself. It's up slightly in 2023. We remain very well diversified. Our filings have been submitted and done on time. Notices have gone out to the former employees with regard to their pensions. Monies were deposited, and monies have been drawn out. We have not done a pension audit in a while and there's plans to have a pension audit done and the results we should have by June. There were no COLAs for the officers. Most of them were at 30% max. There was one retired Public Works person who is eligible for the pension and there are two new Public Works hires and there was also one retirement that was pending and the next meeting will take place in June.
- He'd like to update people on our Right-to-Know (RTK) request. Linc may want to speak to this as well. We had submitted a RTK request to the HAL and you may recall that the Office of Open Records determined that HAL should turn over information to us. Since then, there have been three other private citizens who have submitted RTK requests to HAL and they refused to respond. There were three legal opinions issued by the Office of Open Records. One is 14 pages long. The other one is 4 pages long and the third one is 13 pages long. The information that those individuals were pursuing, according to their request were information concerning library members ordering personal books and using a library discount, private citizens obtaining library discounts and the Office of Open Records found in that matter that the Hellertown Borough exercised financial and governmental control of the HAL to make it a similar governmental entity subject to RTK request laws. There's a second opinion that's 4 pages long and that one concerns a request from a citizen seeking emails between the Library Director and the library board during a 10-day period during January 2023. There's a third opinion that is 13 pages long that addresses another citizen's request for emails between the Library Director and board during the month of January 2023. Interestingly, he believes that the HAL has appealed each one of those private citizen's RTK requests just as they appealed ours. They've sought a decision from the Northampton County Court of Common Pleas. So that information remains un-transparent to us and the citizens and he expects those matters before the Court of Common Pleas will proceed and hopefully the Court agrees with the scholarly legal opinions that were issued by the Office of Open Records.
- With regard to the LVPC, there has been some media reporting that NC is discussing leaving the LVPC and that just reinforces that we as a Township Council should not cede our local authority to a group of unelected political appointees. The reason NC is considering leaving appear to be varied. He would suggest that our Township Engineer, Manager and Solicitor monitor that situation because he knows that parts of our ordinance are tied to the LVPC and in submitting things to LVPC and if NC secedes or leaves LVPC, we may need to address those portions of our ordinances that call into action some part of LVPC.

Mr. Carocci

- Let him understand this, the HAL is using library funds to appeal a bad ruling against them on a RTK request. Mr. Banonis said that sounds right. Mr. Carocci said they are using library funds for that. Linc, did we ever appeal... we always had our RTK deadlines and turned it over as a Township? Attorney Treadwell said he can't think of a situation where someone appealed a RTK request that was filed with LST. There might have been one where somebody asked for their criminal record and they might have appealed that. All the other ones we give them the information. Mr. Carocci said what is the nature, what are they trying to hide here, Noelle Kramer and Ken Solt? What is the nature of those allegations? Mr. Banonis said generally speaking what he could gather, Tom, the first one which was the 14-page opinion, addressed and seemed to question the sale of books at a discount to either library members or non-members. The second one seemed to request very specifically emails between the Library Director and Board during a 10-day period during January 2023, and the third one requested emails, again from the Library Director and the Board, during the 30-day or 31-day period or January 2023. It seems like those individuals have some information that they are specifically looking for, what it is, he doesn't know, but hopefully we will know. Mr. Carocci said it's telling that they are appealing a decision to turn those over like there's something there. Why would you appeal is his thought, but he could be wrong. Mr. Banonis said he believes in one of those situations, there was actually an affidavit submitted by Cathy Hartranft, who is the Hellertown Borough Manager, seeking to distance Hellertown Borough from the HAL but again the Office of Open Records legal opinions that were issued by their attorneys who make these decisions found that the HAL is a similar governmental entity because of the level of control that Hellertown Borough exerts over it. Mr. Carocci said how many library cards have we issued now? Mrs. Gorman said she doesn't have that actual figure, she apologizes, but it's close to 200. Mr. Carocci said it's a far cry from the 3,100 people they said were using the library when they tried to get money from us.
- On his report, the EAC is sponsoring a build you own rain barrel on May 5th at Seidersville Hall. Space is limited so you need to register by May 1st. Sandy, correct him if he's wrong, but they said they can only do 25 kits, right? Mrs. Yerger said that's what they can usually handle at a given time, yes. Mr. Carocci said what was the cost? Mrs. Yerger said she thinks it was \$35.00. Mr. Carocci said he'd like to see Council, and he doesn't know if we can do it tonight, but to basically pay for those 25 kits for our residents and make sure the people coming to build the rain barrels are residents and that's about \$850.00 if he's doing the math right. He thinks it would be a nice thing for the Township to sponsor if the rest of the Council's inclined to do that. It would be 25 at a maximum of \$35 per kit. Ms. deLeon said so the first 25 people who sign up. Mr. Carocci said they'd have to be residents of LST, the first 25. It's limited to 25 no matter what, whether we refund it or not. Mr. Hudson said we can bring this back at the April meeting. Mr. Carocci said okay the deadline to register is May 1st, so bring it back in April. He's like to get that on the agenda.

Mrs. Yerger

- She said check the website, the EAC has a lot of environmental educational programs planned, so please check it out, besides rain barrels, there's other things going on in the spring. Ms. deLeon said will it be sent out on Constant Contact. Mrs. Yerger said yes.

Ms. deLeon

- We heard a lot tonight, issues regarding the City of Bethlehem, LV Majestic Realty or Park 7, whatever it is called. Mark can you please get in touch with them and set up a meeting so we can address some of these issues. Years ago, we had a problem with a company called MFS and it was just terrible. They ended up knocking it down and DEP got involved and anyway, you heard, you were taking notes, we need to address those problems ASAP. She is concerned about that.
- Linc, could you update us on your letter to the Southern Lehigh Library dated March 20th. Attorney Treadwell said update you how. You have it, right? Ms. deLeon said she has it, do you want to tell the residents. Do you want to borrow it? Attorney Treadwell said it was really for Council. We are continuing discussions with the Southern Lehigh Library and

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their attorney sent him a letter making a proposal. He distributed it to Council for your consideration and he sent a letter back asking a bunch of questions. Ms. deLeon said you sent it to us for our consideration, we have to vote on it somewhere and this is in litigation and in order to vote on it, we'd have to do it at a public meeting, so how would we consider it if it's not at a public meeting. Attorney Treadwell said he didn't say you would consider it not at a public meeting. Ms. deLeon said I didn't say you did, I just said we need to.... didn't you just say you wanted to see what we said about this letter. Attorney Treadwell said he gave it to you for your consideration. Mr. Banonis said what didn't you say that you are accused of not saying? Ms. deLeon said she's not accusing, we're friendly here, I am not the enemy. Mr. Banonis said he's not understanding where we are and what you are talking about. Attorney Treadwell said he distributed the letter that the Southern Lehigh Library's attorney sent to him to Township Council for their consideration. He didn't say anybody made a decision. Ms. deLeon said she wanted to know how she could consider it and was she supposed to call him. Attorney Treadwell said you could if you want. Ms. deLeon said you can't make decisions behind...Attorney Treadwell said nobody made a decision. Ms. deLeon said she didn't say you did. She's just saying that she didn't know what he wanted us to do. Attorney Treadwell said he wanted you to look at it. Ms. deLeon said she did. Attorney Treadwell said he assumed that's what they wanted him to do with it, was to give it to you to look at. Ms. deLeon said she guesses we are going nowhere on this so she will move onto her next item.

- Today she attended the hearing for the conditional use and this is not about the conditional use hearing as she knows she's not allowed to talk about it. This is on the Northern Realignment. They were talking about that and it was brought up and she'd like Mark to confirm with DEP that the plans the Township has in your possession and was presented to the ZHB, the ones they approved, are the plans that are currently before the DEP because residents have found maps and she doesn't have the numbers for the maps but she can get that information to him, that now show a berm and there's grade and a slope and supposedly it isn't on the Township's plans like when you go on the website and click on the Northern thing – it's not there but DEP has it, so how did that happen and she wants to know if it's correct. Mr. Hudson said yes, he may need to speak with her later and she said she will help and that needs to be addressed.
- She also phoned in several odor complaints in the past few weeks. DEP said there's an issue from the red barn down to the storage unit with horrific odors on Applebutter Road. The Bethlehem Landfill Company (BLC) is cooperating with DEP trying to address it, but as a couple of days ago, it's still smelling. She wanted to report on that.
- She went to a Hellertown-Lower Saucon meeting on Tuesday and on March 28th join the Chamber for a network mixer at Drip, The Flavor Lab. They are thrilled to hold this event and are asking attendees to support the scholarship fund that they do every year which benefits students at Saucon Valley Schools. You can go on the Hellertown-Lower Saucon Chamber's Facebook page and there's information there or you can donate at the door when you arrive. If you have a student who is interested in applying for this scholarship, please send a message to them to get connected for more information. Unfortunately, our Jr. Council Member is not here. Mr. Banonis said does that scholarship only benefit SVSD students or any student who lives within Hellertown or LST. Ms. deLeon said she'd have to check on that. She thinks they circulate to the schools, in addition to Saucon Valley, the other schools. Mr. Banonis said he would be interested in learning about that. Ms. deLeon said she will find out. Mr. Banonis thanked her.

B. SOLICITOR – No report.

C. ENGINEER – No report

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

- Jackie Palumbo said she's just here to remind you of a couple of things. What is democracy? The word democracy comes from a Greek word “demos” meaning people and “kratos” meaning power so democracy can be thought of as power of the people, a way of governing which depends on the

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will of the people. There's a gentleman named Abraham Lincoln, you may have heard of him, he was a Republican, believe it or not. According to Abraham Lincoln, democracy is a government of the people, by the people and for the people. He was the 16th President. What is the role of Townships? Local councils work towards improving communities, wellbeing and providing better services. Their activities fall into three main categories, representing the local community, delivering services to meet local needs, striving to improve quality of life, and community wellbeing. That's your job. What makes a good local Council? To represent the beliefs, and priorities of their community while serving in the community's best interest, that's us. There's a question she's been asking you time and time again, why is garbage good for her. Ms. deLeon said she can't hear her. Ms. Palumbo said why is garbage good for her, so she looked it up. It says the waste humans generate is detrimental to our environment for quite some time now. Humans are generating too much trash and cannot deal with it in a sustainable way. Waste that is not biodegradable is filling our oceans and landfills. This is what you want to bring to us. So, by these definitions, why can't she see how you're behind your talk because this will not increase our quality of life at all. Apparently, it's increasing something for you. She's not sure why you are doing this because we have all these people here and nobody wants this but you and as far as she knows, it's still the United States of America, not the United Corporations, not yet. United States by the people, for the people, we are the people. You are supposed to be helping us, not them. Thank you. Mr. Carocci said United States is a constitutional republic. Mr. Banonis said that is correct, thank you Tom.

- Frank Palumbo said he's having a little bit of déjà vu here. Tonight, again heard a lot of citizens of this township again opposing a lot of what you guys just approved today. As his wife just said, who do you guys work for? You seem very risk adverse when it comes to lawsuits yet we're up to our eyeballs with lawsuits with the Hellertown Borough, and myself and others in this room. We don't seem to be risk adverse to lawsuits that concern the citizens, we are very risk adverse when it comes to corporations or developers. Tonight, was just another example of that. So again, he asks who do you guys work for? The people who voted you in or the corporations and developers because it's not very clear to him that it's for them. It's clearly for some corporations, developers for sure. His next question, and he knows Mr. Treadwell won't answer it, is how many lawsuits have Townships encountered because they didn't have the proper zoning. Is that something you can answer or no because that seems that's the quote you come up with all the time or Mr. Banonis that we are worried about lawsuits because we don't have the proper zoning. Do we know the statistics? Attorney Treadwell said numerous, can he count them all? Mr. Palumbo said so it's a fact that Townships are sued because they don't have proper zoning. Attorney Treadwell said yes, that's a fact. Ms. deLeon said we were always told that we were pretty good, she remembers that. Mr. Palumbo said if the Township doesn't have the land to develop for whatever purposes that developer would want, do you just go and sue. Let's say Bethlehem Landfill wants to put a dump in the middle of LST where you live. Attorney Treadwell said every municipality in the Commonwealth of PA has to zone for all uses. Mr. Palumbo said what happens when the uses are used up. Attorney Treadwell said there's a municipality that doesn't have a space where you can put a landfill, a landfill could go in that municipality and file a substantive validity challenge and get to put a landfill where it wants because the Township didn't have a place for a landfill, that's how it works. Ms. Wittchen was speaking from the audience (she did not come to the microphone). Attorney Treadwell said you are absolutely correct that if there is a multi-municipal zoning ordinance, that, that is true. That zoning challenge would apply to all of the municipalities in there. That is not the example he was giving. So, your example is different than the one he was explaining; however, you are correct that if you have multi-municipal zoning you can. LST does not have multi-municipal zoning, not every municipality in PA has multi-municipal zoning. In fact, there are fewer that don't have it than there are that have it. Ms. deLeon said we have a multi-municipal Comp. Plan. Attorney Treadwell said but you don't have a multi-municipal joint zoning ordinance. Ms. deLeon said because we didn't want to do that. Mr. Banonis said you are taking away from the gentleman's time. Attorney Treadwell said Mr. Palumbo said he wasn't going to answer his question, so he answered his question. Mr. Palumbo said thank you for explaining that to him as it seems that this Township is very risk adverse and we want to rezone things to benefit somebody and this Council does not want to say what it is, if they know, and he doesn't know either. You guys just don't seem, from the

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public's perception, to be working for the public because the public is here all the time expressing their concerns about what's not right about the proposals but yet you just completely ignore every single thing every person says and you just go ahead and do what you want to anyway. So, he doesn't even know why we have this 3 minute or any opinion...Mr. Inglis said Sir, he talks to a lot of people, and they don't disagree with us. You guys may. He understands that but there's a lot of people. Mr. Palumbo said of what. Mr. Inglis said whatever you are accusing us of. There are a lot of people he talks to every single day that don't disagree with us. Unfortunately, we talk to a lot of people, they just don't come here. That's not a lie, he doesn't know what he wants him to say. Do you think you are the only people with an opinion? Mr. Palumbo said use the dump as an example. The entire Lehigh Valley, St. Luke's. Mr. Inglis said St. Luke's uses the dump all the time. Mr. Palumbo said Easton, Hellertown, Bethlehem Township, they don't want the dump. Mr. Banonis said that's not the whole Lehigh Valley, you've identified three municipalities and one hospital. Mr. Carocci said some of those municipalities actually dump their garbage at the current dump. Mr. Palumbo said the dump has been there for eighty years. They are proposing another 30 years. Mr. Banonis said isn't it a big contradictory for them to take a position against the dump but yet to allow their residents to submit their trash to the dump. Mr. Palumbo said most of the garbage isn't from this area anyway. It's over 60% that comes from out of state. His final thoughts is you guys are just not working for us, and election time comes around pretty quick and sayonara.

- Laura Ray said she had a couple topics she wanted to talk about, mainly it was the library, but she doesn't know. She doesn't really appreciate the disparaging remarks and the implications that you are saying regarding the library. Mr. Banonis said what was disparaging about what he said about the library. He identified RTK requests and the contents of them. Ms. Ray said that were only 200 reimbursements but you don't look at the number of cards that there are. There's well over 500 library cards that have been issued in the two months that they've been available compared to what's at Southern Lehigh where they are almost at 100, so obviously a whole lot more people use our local library than Southern Lehigh. Again, she learned a lot by watching the Southern Lehigh School Board meeting where they were on the agenda regarding the library. Then also last night the meeting at the Southern Lehigh Public Library - you know trying to force ourselves on them with a long-term agreement when never mind the month to month that somehow went out the window, now we want a long-term agreement and it doesn't make any sense. What she finds kind of interesting is that this year and last year we had a survey sent out where you are very interested to learn what movies in the park that people want to listen to. I think that's the only thing you ask to the public and take input on is what movie we should have in the park. It's like what about some of these other things that are very important and have impacts. That's where you should be polling the public and getting information so that's bothersome and another thing tonight a lot of people, she heard several people mention that they weren't properly notified about all of the different zoning things and she doesn't know who checks up on that but especially the people by name that said that, it should be checked and verified. They do get certified notification for a zoning change, that's next to them. If they aren't properly notified, then...Attorney Treadwell said they get mailed letters. That's the requirement, mail letters to all the people whose properties are within the area. Ms. Ray said who verifies that it actually happens because several...Mr. Banonis said it's advertised in the local media. Attorney Treadwell said Mark Hudson verified in his affidavit that it was mailed to all those people. Mr. Inglis said they might not be in the zone, how close do they have to be. Signs were put up, correct? Mr. Treadwell said yes, posted.
- Bob McKellen said he just put his name on the list as he was making notes on the way and it was interesting tonight to find out...he's been coming to meetings now for about 15-16 months and the library brought a ton of people out. They poured their hearts out for four hours and you immediately snubbed your nose at it. After that the landfill came in and it was the same thing, packed house, all the residents and he knows everybody talks to Mark Inglis up there so we don't know half of...Mr. Inglis said seriously, really? Mr. Banonis said Sir, let me caution you. At the beginning of this meeting, he read to you what the conduct is supposed to be here. Now you are making disparaging...Sir I'm not recognizing you. You are making disparaging remarks against a member of this Council for no reason. Alright. He wants to be clear and he made it clear at the beginning of this meeting and now we've been here for 3-1/2 hours, it's been a long evening for all of us, actually 4-1/2 hours, he's sorry. It's been a long evening for all of us so please refrain from making

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disparaging remarks against any member of this Council. If it happens again Sir, he's going to ask you to leave the Council office. Mr. McKellen said will do, yes, sorry Mr. Inglis. The compost center – gone. The people now on Mt. Pleasant Road, Springtown Hill Road, Steel City, Easton Road, are all upset and come election day he hopes all of them remember where this all went and they tell all their friends. Yard waste area, he didn't hear anything about that, across from the track at the football stadium - just in time for home track meets and graduation in June, very good. The EAC becoming a high school ecology club, losing the open space and landfill talk meetings is just not right. Rain barrels and plant sales, that's fine, but they can be doing that at the ecology club at the high school.

- Dave Boulin said he really wasn't going to say anything tonight but he's glad he endured, okay. He's the other guy that you don't get to hear from because of the political atmosphere we have going on here. He wants to make a disclosure, he is not running for Council, he's not running for Planning, he's not running for anything, he's a taxpayer and what he says is what his neighbors and he thinks. Yes, he can name them and will name them and he really wishes Council say well somebody sent me a letter, we know who it is. Really, it's like a news media, okay. He too made a few notes here as we go along. HAL is really right up at the list. It reminds him of 2001, The Space Odyssey. He hears \$160,000.00 budgeted and there's only 300 people who have cards, therefore we saved \$155,000.00, but we spent money on litigation, okay. So, we didn't save that much, we only saved, whatever \$20,000.00 this year but going forward, yes, we'll recognize that. He will tell you if you have to sue somebody to get freedom of information, there's something to hide and it really upset him when he heard that some of our Council people were working with the other Council who now has been tied and is a Controller of the library, that's kind of like I got inside information and I'm going to share. Let's get back to the other things, the zoning is really touchy here because people who were up here and say they don't understand zoning, it's quite apparent they don't. If anybody knows about things like Mt. Laurel, you'll find out that when you get sued, that's in the state of NJ and he's been on the Planning Board for 10 or 15 years and he went to Rutgers for 6 months, two nights a week. Mt. Laurel - he can't tell you what it did to residences and all the towns of NJ and if you think PA wasn't listening, you are making a mistake. So where does that whatever the MP zone come from, probably a result of that. The other thing he'd ask when you come to the Council meeting on both sides, here and there, you come prepared and "I don't remember", doesn't cut it and "somebody said, but I don't remember", no, if you are going to make statements, he'd really appreciate it if you have the integrity to say who, what, when and where. Thanks.

10. ADJOURNMENT

MOTION BY: Mr. Banonis moved for adjournment. The time was 11:09 p.m.

SECOND BY: Mr. Carocci

ROLL CALL: 5-0

11. UPCOMING MEETINGS

- A. Planning Commission: March 23, 2023 – Cancelled
- B. Saucon Rail Trail Oversight Commission – March 22, 2023
- C. Zoning Hearing Board: March 27, 2023 – Cancelled
- D. Parks and Recreation Board – April 2, 2023
- E. Environmental Advisory Council – April 11, 2023

Submitted by:

Mark Hudson
Township Manager

Jason Banonis
Council President