



Wednesday, August 30, 2023
Lower Saucon Township Council Agenda

9:00 A.M.

Lower Saucon Township

General Business and Developer

******* Location Change *******

Se-Wy-Co Fire Station

3621 Old Philadelphia Pike

Bethlehem, PA 18015

******* Location Change *******

1. OPENING

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

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

3. PRESENTATIONS/HEARINGS/ORDINANCES/RESOLUTIONS

A. Public Hearing for Ordinance 2023-05: The proposed ordinance would revise and amend the code of Lower Saucon Township by amending Chapter 180 (Zoning) to revise the Zoning Map designation of approximately 275.70 acres of land (consisting of seven (7) Northampton County Tax Map Parcels) from a Rural Agricultural (RA) zoning designation to a Light Industrial (LI) zoning designation in the area of the Township north of Applebutter Road, east of Steel City, south of the Lehigh River, and west of the Route 33/Route 78 intersection, the proposed Ordinance would also amend certain text provisions to allow landfills and waste disposal facilities as a permitted use in the LI district, remove site plan requirements for uses that require land development & DEP approval, and provide a natural resource mitigation alternative.

4. DEVELOPER ITEMS

5. TOWNSHIP BUSINESS ITEMS

- A. Review and possible action to approve and authorize execution of 5 new conservation easement documents on the tax map parcels identified on the attached map, including the lifting of the restrictions on landfill use for the former Helms and Reddington properties
- B. Consideration of Adoption of Ordinance 2023-05 Revising Chapter 180 (Zoning) (see Description in 3A)
- C. Review and possible action on Resolution 58-2023 revising the Host Community Agreement with the Bethlehem Landfill
- D. Discussion and possible action on creating a committee to review a Library for the Township

6. MISCELLANEOUS BUSINESS ITEMS

7. COUNCIL & STAFF REPORTS

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

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

9. ADJOURNMENT

- A. Move to Adjourn

10. UPCOMING MEETINGS

- A. Parks and Recreation Board: September 11, 2023
- B. Environmental Advisory Council: September 12, 2023
- C. Council Meeting: September 20, 2023
- D. Zoning Hearing Board: September 25, 2023
- E. Planning Commission: September 28, 2023
- F. Landfill Committee Meeting: October 19, 2023 @ 1:00 p.m.
- G. Saucon Rail Trail Oversight Commission: September 25, 2023 at Hellertown Borough

1. **OPENING**

- A. **CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township (LST) Council was called to order on Wednesday, August 30, 2023 at 9:00 a.m. with Mr. Jason Banonis, presiding at Se-Wy-Co Fire Company.
- B. **ROLL CALL: Present:** Jason Banonis, President; Mark Inglis, Vice President; Sandra Yerger, Priscilla deLeon, Thomas Carocci, Council Members; Mark Hudson, Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Cathy Gorman, Assistant Manager & Director of Finance; James Young, Zoning Officer; Stacy Werkheiser, Administrative Assistant.

Mr. Banonis said he would like to take a moment to recognize a Lower Saucon Fire Rescue (LSFR) volunteer who passed away this weekend. John Kalynych was a LSFR safety officer and John had served in a number of different capacities. He had been the Lehigh County Emergency Director. He was a resident of Hellertown and he contributed a lot of time and energy to the community and helped to make our Emergency Services much stronger. At this time, he'd like to extend LST's condolences to John's family and certainly to LSFR and to the Lower Saucon communities. If everyone would stand please before we do the Pledge of Allegiance for a moment of silence.

C. **PLEDGE OF ALLEGIANCE**

Mr. Banonis said before we take public comment, when we get to the Council comments, I intend to make a motion to direct the Township Manager to prepare a resolution from LST recognizing John Kalynych services to be presented at the next Council meeting.

- D. **ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)** – Mr. Banonis said Council did not meet in Executive Session this evening.
- E. **POTENTIAL ACTION ON EXECUTIVE SESSION ISSUES (IF APPLICABLE)** – None
- F. **PUBLIC COMMENT PROCEDURE** – Mr. Banonis said the public comment procedure is available in the back of the meeting room. For those of you who are not familiar with it, he will share it with you again so that you are familiar with it, Resolution #31-2023, which is a resolution of the Council of LST adopting the agenda policy and code of conduct for Township meetings. He will read it into the record.

WHEREAS, Lower Saucon Township is a Township of the Second Class, Optional Plan of Government, located in Northampton County, Pennsylvania, and is governed by an elected Council; and

WHEREAS, the Pennsylvania Home Rule Charter and Optional Plans Law, the Second-Class Township Code, and the Lower Saucon Township Administrative Code all authorize the Council of Lower Saucon Township to promulgate rules and regulations for its Council meetings.

WHEREAS, the Lower Saucon Township Council is authorized to establish a level of civility and promote an atmosphere of reasoned expression of ideas in promulgating rules and regulations for its Council meetings.

WHEREAS, the Council recognizes public comment is intended to afford citizens an opportunity to bring important matters to the attention of Lower Saucon Township Council.

WHEREAS, the Council is strong advocate of free speech and wishes to promote an atmosphere of reasoned expression of ideas.

NOW, THEREFORE, BE IT RESOLVED that the Council of Lower Saucon Township establish the following rules and regulations regarding the Agenda for public meetings, and public comment and conduct during such public meetings:

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AGENDA

1. All regular and special meetings of the Lower Saucon Township Council shall be conducted according to the following order of business:
 - I. Opening
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance to the Flag
 - D. Announcement of any Executive Session (if applicable)
 - E. Public Comment Procedure
 - II. Public Comment – Agenda Items – Residents/Taxpayers Only
 - III. Presentations/Hearings
 - IV. Developer Items
 - V. Township Business Items
 - VI. Miscellaneous Business Items
 - VII. Council & Staff Reports
 - VIII. Public Comment – Non-Agenda Items – Residents/Taxpayers Only
 - IX. Adjournment
2. The Township Manager, in accordance with the Code of Lower Saucon Township, shall prepare a printed agenda for each meeting of the Council and provide the same for public review at least 3 days prior to the commencement of each such meeting. The Agenda, and any non-confidential accompanying materials, shall be posted on the Township Website. The Agenda, without materials, shall be posted at the Township Building, and copies shall be available at the meeting.
3. Any Councilperson who wishes to have an item listed on an Agenda shall present a written request to the Township Manager, with sufficient detail to describe the item, at least 7 calendar days prior to the date of the meeting. The written request shall be accompanied by the assent of one other Councilperson to the request. This process shall not apply to Emergency or Special meeting of the Township Council.

PUBLIC COMMENT AND PARTICIPATION

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 Public Comment – Agenda Items – Residents/Taxpayers Only.
2. Public participation, including public comment, will not be allowed after the commencement of the Council's business meeting or during any other Agenda item.
3. Public participation, including public comment, shall be within the discretion and under the direction and control of the Council President (or acting Council President);
4. Public comment shall be made only by Lower Saucon Township residents and taxpayers.
5. Persons wishing to make comments to the 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 Lower Saucon Township 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

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- 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 common position or idea to the Council shall designate no more than two of the members to speak for the group.
 11. No speaker will be allowed to surrender his/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.
 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 or to 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 content and/or personal attacks on the integrity of others whether or not present.
 18. Letters shall not be read during 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 letters cited or read may be submitted to the Township Manager.
 19. Copies of any documents being reviewed or discussed during public comment shall be made available to Council.
 20. At all times, each attendee at a 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 view point.
 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, 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 attacks of any nature directed toward or against any Council person, employees of Lower Saucon Township, members of the audience or any other persons.
 25. A period of Public Comment shall be placed at the end of each Agenda for comments relating to Non-Agenda items; the rules and regulations contained herein shall apply to this Public Comment Period as well.
 26. The purpose of Public Comment shall be for residents or taxpayers to comment on matters of concern, official action, or deliberation which are or may be before the Council prior to official action being taken. Council will not respond to comment made during the public portion of the meeting unless it is necessary to ask a clarifying question, correct a 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.

This Resolution shall repeal and replace Resolution #31-2022. **RESOLVED and ADOPTED** this 3rd day of January, 2023.

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Attest Mark Hudson, Township Secretary, Jason Banonis, Township Council.

2. **PUBLIC COMMENT – AGENDA ITEMS ONLY – RESIDENTS/TAXPAYERS ONLY – 3 MINUTE TIME LIMIT** – Mr. Banonis said they will invite the public up for agenda items, resident and taxpayers only, with a 3-minute time limit.
- Russ Sutton said he’s been a lifelong resident of Steel City. The citizens and taxpayers have the right to be heard and included in this process. They will not stand by and allow an out of state company control their lives. He said we the people are upset that three Council people control everything that happens in the Township and have PAC money provided by Waste Connections. He’s a member of Citizens for Responsible Development for a good reason. He does not trust your decisions that affect himself and his fellow citizens. Elected officials are supposed to represent the constituents, not themselves and not special interest of PAC money. Have you ever considered the impact this will have on the environment, air, water and land? What ecological studies have been done to prove this otherwise? Also, what is the impact on other municipalities which by law you don’t have to notify but by common courtesy you should? Why are we isolating ourselves from all other municipalities? This will end up in deforesting and terminate the live cycles of various plants, animals and trees. They are not going away. They will be listening and watching. This ordinance has long-lasting effects to the whole area and municipalities which will affect your children and further generations. Also, there is a comment in here that is attached to the amendment that said that this is the best interest of the public health and welfare and citizens of LST. He greatly disapproves of this being a medical health professional and he has two letters from physicians that he wants to submit as exhibits and he wants them to be in the record. Also, three minutes is not enough time for all the things that have to be decided at this time. There are three different items here. The Township should not be releasing any conservation easement. There is no reason to release these easements, to destroy all kinds of plant support, gas wells, roads and destroy land. Stop stealing their land. The Township is violating the public trust. This Host Agreement is unbelievable. There were no public meetings or discussion that Council and the Landfill Committee for the Township to propose a new Host Agreement that removes the Township’s ability to require environmental protections, why? The contract covers the entire 30-year expansion. This thing just jumped out of the woods. He didn’t hear anything about it until about three or four days ago and it implicates millions of dollars. It strips the Townships of its rights and also the people of the rights. How can anyone review this detailed document with only five days? Again, three minutes is not nearly enough time to consider this. In summation he opposes the landfill expansion, the new PAC with the dump and he also would like the library to go back to Hellertown.
 - Maia Simon said yes, three minutes is not enough time. Five days is not enough time. A year wouldn’t be enough time to consider the things that are on the agenda for today for everyone to have a voice in these decisions. The most important voice will be in the election this fall. It used to be that we talked about the common good. The previous speaker talked about how these things are supposed to be for the best use for the residents and community. There’s nothing here that is for the common good. So, this plan is to be remove existing conservation easements and add several others. Well, what’s to say that next month you won’t remove those? Conservation easements are not supposed to be subject to the vote of three or four people. If you want to remove the conservation easement, she suggests you put it on the ballot as a referendum. The Host Agreement that is provided that we only saw on Friday is a giveaway to the landfill and it provides no oversight and this is not for the common good. Library Committee – now here we are all this time later, we are going to form a committee who are going to decide what’s best for us when everybody knows what’s best for us is to go back to having and being a partner of Hellertown Area Library (HAL). (*Audience interrupting and clapping*). Mr. Banonis said he’s sorry the audience is interrupting while she is speaking and taking up her time. He would encourage them not to do that, you have your three minutes to continue. Ms. Simon said thank you so much. She implores you to listen to your constituents. She doesn’t see 40 people here saying yes, this is a good idea. At the previous Council meetings, there haven’t been 40 people saying yes, these are good ideas. The vast majority of your public comment is contrary to what you are deciding what to do and she would like to suggest, with respect, that there is the...Mr. Banonis said Ma’am he needs to interrupt her and encourage her to wrap up her thoughts as her three

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minutes are up. Ms. Simon said she has two words, appearance, three words, appearance of corruption. She said she failed to mention that she was speaking for her husband, Julius Simon as well.

- Robert Wells said thank you for allowing him a whole three minutes to defend his home with this so-called Host Community Agreement. He says it's so called as it's not an agreement for their community at all, it's a proposed agreement between you the members of the Council that supported a multi-national corporation that wants to take advantage of the citizens of this community. Citizens that you have an obligation to represent. For that reason, he'll call it what it is, a Host Council agreement. The Host Council agreement that you support, if adopted, would allow Bethlehem Landfill (BL) to cause serious harm to the health, lifestyle, peace and freedom of the constituents that you are tasked to protect, yet you continue to support it. This Host Council agreement you support recognizes the property values of your constituents will be seriously damaged. This point was proven by the sham Property Value Projection agreement included within it. Your Property Value Protection agreement which would be more accurately referred to as a Property Value Stinks agreement fails to address any precipitous drops in property values in the constituent's homes where it's unlikely to result in any meaningful compensation at all. We have seen this language before, during the last fight, same fight, same language, different villains. Your Property Value Stinks agreement fails to accept the property values may be depressed for decades, likely beyond closure. Any potential buyer of these properties will see that they have no protection upon resale. For that reason, they will not buy here. Your Property Stinks agreement forces participating owners to notify BL and the Township of their intent to sell their homes, forces them to pay the extensive appraisal fees and forces them to use and pick commission to a real estate broker. The property stinks because the agreement stinks and the owner can't negotiate, determine selling season or length of contract and the reference to reasonable counter offer is so vague in places as the open property owners are up to total qualification by BL. Your Property Value Stinks agreement has so many holes in it that his three minutes can't begin to explore what a bad idea it is, so he'll stop here. This is his personal opinion but not an informed one. He's not an attorney but he's investing the last 20 years in building a group of real estate companies that sold 17,000 homes in 2022 which equates to \$6.2 billion in gross sales volume. He believes he knows a win-win real estate agreement when he sees one and this agreement is not one. This agreement is a big win for BL which will use it for big profits for your constituents. Please do not support this agreement at the expense of those you serve because Ladies and Gentleman, this agreement stinks just like the dump you support. Thank you.
- John Gallagher said he lives in Bethlehem Township and he appreciates the three minutes of their time. Mr. Banonis said hold on Sir, are you a resident or taxpayer of LST? Mr. Gallagher said he is not. Mr. Banonis said public comment is for residents and taxpayers only so unfortunately, they can't hear from him. It's not open to non-residents or non-taxpayers. Thank you.
- Bob Blasko, Lower Saucon Township resident said he wishes he had an organized speech to make but he only got notice of this yesterday. It came two days ago in an email. His wife is the one that saw it yesterday. He was working helping a neighbor out yesterday, all day long, so he got home last night to receive this email and tried to prepare something. He objects to this whole thing. Everything. This agreement, this Host Agreement is exactly what it says, the landfill is a parasite and we are the host; and that's all there is to it, period. There are so many things in there that are wrong. Now you like to put out flyers talking about oh how the BL is donating roughly \$2.5 million to the tax base. Well, let's go back and figure out on their gross when you don't charge them 3% and you will figure it if your math is correct, that we are cutting them a break so that they can pay us \$2.5 million back when that 3% would make much more than that, two, three times that. So what we are saying, is okay, it's okay for the landfill to not pay this 3% which amounts to \$5, \$6, \$7 million, whatever the figure is, so that we get back \$2.5 million. They are not benefiting us even in that way. We are paying them; we are losing money so that they can pay us back a part of it. It doesn't make any sense in his book.
- Richard Weikert said this fight started what five, six, seven years ago...Mr. Banonis said you need to get closer to the microphone, pull it down lower if you need to. Mr. Weikert said this fight started five, six, seven years ago when you wanted to expand over the back. Now it's gone off to the dump on the other side where the Gun Club is. 275 acres, that's a disgrace. You are ruining all that property. First of all, he can't see why the state isn't involved in this for the runoff running into the

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Lehigh River. Now you know that water underground is going somewhere. He's been here for 38 years and built his own home, what does he expect to do now. He didn't find out about this until just last week that this meeting was going to be held. First of all, you people up there, you are voted in and supposed to do right for the citizens. You are not doing it now. Thank you for your time.

- Matt McClarin said he thinks there is actually three business items on here that pertain to his property his family's well-being, and everything else. He'd suggest that he be granted nine minutes as he doesn't believe that three minutes is a reasonable amount of time per the Sunshine Act to get his thoughts out there to Council. He's going to request that tonight. Mr. Banonis said denied. Mr. McClarin said so as far as the conservation easement documents are concerned, he doesn't think it's in their best interest for the landfill to actually modify these conservation easements. He thinks there's very little thought as to the maps they provided and the overhead shots. If any of you have spent time down at the Lehigh River in that area as he does extensive fishing, it's a beautiful area of the Township. It is probably one of the most pristine areas that Township residents can enjoy. Just the other day he was down fishing in his boat and there's river otters, bald eagles, blue heron, there's everything down there so he thinks it would really be a shame if it wasn't more thought as far as our end with studies and just possibly reviewing that so it doesn't come from the landfill and it actually comes from people whether they are experts within the Township or third parties that can really narrow it down where that line should be. A lot of that map on the landfill's plan is actually on the down slope of where it's pretty much going to decimate with the river down there. His next one is consideration of the ordinance and that has to do with the zoning ordinance. He doesn't think its good practice to put a heavy industrial use such as landfills as a use by right. He thinks the Township opens itself up to future problems with that since mining operations or any of the other uses that were in the special exception or the conditional use categories. He doesn't think that's where that use should be as it takes away not only property owners rights with conditional uses and going through an additional process, but it opens up the Township to future possible lawsuits. Let's say a quarry wants to open, they say why am I in a special exception use, I'm monitored by the DEP, why am I not use by right. You know what he's getting at. There's a lot of, he would think you should be a little more hesitancy as far as that goes, as far as our zoning ordinance goes. He doesn't believe it's consistent with our views, our goals, and our mission that we have. He's going to request two more minutes. Mr. Banonis said he will grant him one more minute. Mr. McClarin said as far as the Host Agreement, he does have a study here that was authored by an Economist at the National Center for Environmental Economics, the U.S. Environmental Protection Agency, and this is part of the conclusions is that our findings suggest that the direct participation of citizens in host fee negotiations, the community knowledge stemming from having hosted prior landfill in the presence of state mandates for a minimum host compensation, all and much greater amounts of host compensation. He would suggest you consider forming a committee as there are a lot of other issues in there such as the use of Riverside Drive, access roads, the blasting, where does that material go after it's blasted and crushed. You know do they actually make money off of that material. Are we getting compensated for that? He really thinks the Host Agreement, a lot of those areas should be redlined in there. You know they are proposing a dump...Mr. Banonis said Mr. McClarin, please wrap up your thoughts, please. Mr. McClarin said what they are asking to do is dump eight million cubic yards of trash along the Lehigh River, one of the most natural, you know, preserved areas in the Township and he thinks we should give it a little more thought before we do this. Mr. Banonis said thank you.
- Catherine Snyder said she lives in Hellertown so she knows you do not want her to speak, but she is a taxpayer and she pays taxes to Northampton County (NC). Mr. Banonis said okay, Ma'am, this is LST so our rules are for residents and taxpayers only, so he appreciates her coming to the meeting. She is certainly allowed to sit here and listen to the meeting but in terms of participating in the meeting, this is for residents and taxpayers only so he'd ask her to step away from the microphone. Ms. Snyder said thank you, she lives three miles from the landfill...Mr. Banonis said thank you.
- Sharon Arnold said she's here to speak on the landfill easement. One thing that strikes her is that when they read "One Nation Under God, With Liberty and Justice for All", that is for all. All of these beautiful people came out on a Wednesday morning at 9:00 a.m. when most of them should be at work or taking their children to school. She believes this meeting is called to make us not come and we showed up in droves. She grew up in Hellertown most of her life and she swam in the Saucon

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Creek and she walked around the banks of the Lehigh River most of her life and enjoyed the beauty and the animals that are here, but now americarivers.org has just put an article out, April 18, saying the Lehigh River is named amongst one of the most endangered rivers of 2003. No. 7 in this whole nation. Let that sink in. The building of the warehouses up along the rivers has already polluted this land and it's polluting our river and making our animals die. It's going to make our children and grandchildren die. She doesn't understand how these few people up here can make the decision of the masses that are in this Lehigh Valley (LV). You are taking and putting garbage up high that is going to filter down to the river below. Don't you see when the smog comes into the LV, it just sits here on hot days and doesn't move. You can't breathe the air. Imagine adding pollution to that. There is no other reason but monetary gain for the few that are up here. There is no other reason to pollute the river except for monetary gain for the few that are up here. Think you all must have feelings here; you are putting them up to Aaron Rockowitz kind of situation because you are going to poison them and kill them. You can't tell her that the trucks that come in don't bring in fuel pollution. She watches them big trucks that are bigger than the biggest 18-wheeler on the road bringing food. They are bringing garbage. Garbage just goes to a chemical reaction and that is pollution and you are putting it up high. She wants to know where you think it's going to run and how much money you are gaining from this that you won't listen to your people who voted you into office. She wants you to know that they will vote you out of office if you don't protect them.

- Sal Gagliano said good morning. Three minutes, wow. Three minutes is all he gets. Three minutes, something comes out of that landfill. Three minutes down to the ground. That can be 50, 100', another three minutes down to 100' or 200'. Where is that going? His drinking water. Your drinking water. His animals got to drink that water. Your animals got to drink that water. Your kids, his kids. Do you know what happens when three minutes' worth of radioactive waste can leach into that ground and just because you got liners doesn't mean it's going to stop radioactivity. It doesn't stop an X-ray, does it? Nope, that still goes down to the ground. Well, that's stuff still seeps into our water, our land, we grow vegetables, we grow hay crops, all those things and it still gets in there. This Host Agreement, what is them or you the right to tell us how they can live and sell and buy their homes. They don't have all this kind of money like you guys got. He's sorry but three minutes just ain't enough. Three minutes still can ruin everybody's lives here, that's all it takes. The wildlife, they've been here for years and hundreds of years and now you want to destroy their home, sure you want to take that 275 acres and maybe put it someplace else. That doesn't do anything about the animals that are here. He has his neighbor telling him that the wildlife is coming out of the woods to look at her when she's mowing her fields. Never happened before until now because everything is starting to come downhill. They don't want to hunt where they've been hunting. They want to hunt where they didn't have to. Thank you.
- Lynn Hill said she didn't have a lot of time to put anything together or to review these Trojan horses that were probably written by the landfill, but if you ratify these bogus conservation easements and this complete sham of a Host Agreement, it would be in violation of your fiduciary duties which are to protect the interest of LST residents and LST as a Township, which also includes, not just the residents, but the trees, the wildlife, the birds, the plants, the water, the watersheds and the future generations. This Trojan horse of a Host Agreement sets the stage for the future painting a grim picture of the future of LST. When the host fees become almost negligible because of inflation, and at the same time, LST is left to what - lease. Lease, are you kidding her, lease the closed areas of the dump, oh and help defray the dumps cost of revegetating. It's going to put LST in charge of planting and like making it into what? Maryann Garbage Park? What are you going to call it, come on, are you serious. There are so many flaws in this Host Agreement, yet it was probably put together by a Jr. High School wanna-be lawyer. Let's talk about the library for a minute. Have you heard that there's a library just down the street from our high school and jr. high school. Does anybody, she means you keep talking for the past, like what, year and a half, oh, we're going to get you library services. You go all around offering a million bucks to another Township and another county and another school district and another library district. You don't know if you drive down Constitution Avenue in Hellertown, there's a library there across from their park. The community library - it's been there for a while and it needs our funding. You are contemplating \$4 million for a baseball field for Little League but you can't fork over a \$100,000.00 for a library but yet today... Mr. Banonis said Ma'am, your time is up. Ms. Hill said no, she has more to say. Mr. Banonis said Ma'am, your time

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is up. Ms. Hill said she needs another moment. Mr. Banonis said no, your time is up. Ms. Hill said she didn't even go and talk about the conservation easements...Mr. Banonis said Ma'am. Ms. Hill said on this agenda they are too many things to be silenced. Mr. Banonis said thank you.

- Debra Esposito said she stands here and says here we go again. Mr. Banonis said Ma'am you need to get closer to the microphone. Ms. Esposito said wow, she gets three full minutes, thank you so much. Mr. Banonis said you are welcome. Ms. Esposito said she stands here again and she's so frustrated. She doesn't think anyone is going to be surprised at how this Council will vote on the zoning ordinance today. She's hopeful there's been a lot of support throughout LV in support of opposing the landfill expansion and rezoning of the 275 acres. There's been Bethlehem Township, Hellertown Borough (HB), the Lehigh Valley Planning Commission (LVPC), St. Luke's, just to name a few. She's very disheartened when she learns that the Bethlehem Landfall gave, campaigned, not campaigned, but used considerable amount of money to get certain Township members elected in the last General Election. To her, that is such a pathetic example of politics at its worst. It disheartens her so and she just finds it hard to believe that it's going on right here in LST. Don't even get her started on the HAL. It has been an embarrassing saga for a year and a half. Like Lynn said, they are only asking for a little over \$100,000.00. How much money has been spent in lawsuits? She just stands here and again, they aren't going to be surprised at how you vote and the beat will go on, but somehow, she tries to hold out some hope that maybe there will be some integrity, perhaps a moral compass with this Council, but probably not. Thank you.

Mr. Banonis said they are going to take a one-minute break to adjust the camera for the speakers.

- Ginger Petrie said she is against this rezoning of 275 acres of forest. She is against the coming rezoning of 848 acres where you turn her beautiful farmland into Light Industrial (LI) hoping that she will sell to the landfill. She is against the landfill's expansion and clearcutting 275 acres of forest, removing wildlife, complete pollution of soil, air and water. They have stood in front of you time and time again. They have presented every fact involved with the destruction of the land and their environment. They have shown you again and again their emotional attachment and despair, but you have shown us that you don't care. You don't care how many residents' lives you ruin, both physically, emotionally, and financially. All you are about is the money. This, this kind of thing here, right here. The Bethlehem Landfill loves us. They protect us. Really...they protect us. She'd like to have them discuss that Mr. Carocci as you shake your head. All you care about is that money, well they care about money too. Your gain of landfall cash is going to ruin everything this Township stood for. She used to brag about this Township when showing people her lots for sale which brings her to her close. This is about money. You claim you need the landfill and it's good for us. Well, why don't you stick with positives, like the new development going in at a beautiful location, for \$500,000.00 to \$1.5 million. Won't that generate money for you? Well, you better run with that ball of cash from the landfill because people will want out of this end of the Township. Also, beware of the new lawsuits coming your way from buyers, realtors and the Real Estate Commission for false representation with all the people that were told that this landfill had 3 to 6 years before closing because that, her friends, is coming. Oh, and one more thing, the town of Bethlehem doesn't like their name being associated with the landfill, so why don't you do a favor back to the landfill and name it Banonis-Carocci Landfill then you can accept the fame... (*audience clapping, cut her off*).
- Vincent Caminnecci. Mr. Banonis asked him if he was a resident of LST? Mr. Caminecci said no. Mr. Banonis said are you a taxpayer of LST? Mr. Caminecci said he is not. Mr. Banonis said then under their rules, he is not permitted to speak in the public comment part. Public comment is for taxpayers and residents only so he's asking him to step away from the microphone. Mr. Caminecci said what other townships have that rule? Mr. Banonis said he doesn't know but you are in LST, sir. Sir, he hasn't recognized him, so he's asking him to step away from the microphone. Are you going to step away from the microphone?
- Sue Lucrezi said she would appreciate, you know she's a retired elementary teacher and in school they always considered respect is when people were listening to the speaker, as in 1, 2, 3, 4, 5, 6 people looking. Some people can't even pick their head up from their work. Work, she doesn't know what it is. She's seen...Mr. Banonis said is this an agenda item you are speaking on? Ms. Lucrezi said yes, it is. Mr. Banonis said so what's on the agenda about looking at you. Ms. Lucrezi

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said on the agenda you started out with the rules of the forum. She really doesn't see...Mr. Banonis said no, she started out announcing what the public policy was as everyone is aware. Is this an agenda item, so if you have an agenda item, A., B., C., or D., then...Ms. Lucrezi said yes, she does have an agenda item. Don't change 275 acres of pristine land to LI or whatever you are changing it to, so yes, she is totally against that. She's heard that people talk about their homes, they spent their lives investing in. You are taking that for, she doesn't know, for NYC waste. When she read through the list of those who are using this dump, it's not LST taking it all, it's NYC, NJ, and we are the dumping ground of the East Coast. That is really embarrassing. There's got to be a better way and you people who voted for it, she doesn't know how they sleep at night because, and some people still aren't listening to her, she would appreciate it if everyone could give her their attention. Mr. Carocci, are you listening. Oh, you hear a voice. There's a difference between hearing a voice and listening. She can take her three minutes to say nothing. She just wants the people in LST to know that our Council is scary and she hopes that at election time when the scary ones are up for election, that you don't get elected. She knows her three who she is voting for and they will also make sure she gets her library back. HAL and LST built that library together. LST needs to be a better community member...Mr. Banonis said Ma'am, your time is up. Ms. Lucrezi said she wants you to start rebuilding our community. Our community is not in good shape.

Mr. Carocci said for the record, he sat next to Priscilla for four years and she's not scary. Ms. deLeon said she sat next to him all that time and all he does is mumble to her. Mr. Carocci said not scary.

- Al Wirth said he's concerned about this plan being an absolute economic...Mr. Banonis said excuse me Sir, he's looking at his address, are you a resident or taxpayer of LST? Mr. Wirth said he is a taxpayer, he's not a resident. Mr. Banonis said how are you a taxpayer? Mr. Wirth said he pays Bethlehem taxes. Mr. Banonis said at LST? Mr. Wirth said the landfill and LST use the sewage treatment plant in Bethlehem that he pays for, so...Mr. Banonis said that's a private agreement between the landfill and the City of Bethlehem and it has nothing to do with what we are discussing here today. Mr. Wirth said he understands...Mr. Banonis said he's hammering at him and the audience who is interrupting him. He's trying to understand him standing here, so...hold on, let him finish. Sir, he's hammering him again, he's giving him the gavel and he's asking him to please stop speaking so he can clarify what your standing is here. Do you own or pay taxes on real estate in LST? Mr. Wirth said no, he pays taxes to Bethlehem. Mr. Banonis said Sir, that's fine...Sir you are not recognized to speak, so please step away from the microphone.
- Larry Opthof is next. Someone who didn't identify themselves said Larry Opthof was unable to stay due to an appointment. Unfortunately, the time is at 9:00 a.m. but he's coming back. Mr. Banonis said if he is back before we conclude, they will put him on the end of the list.
- Tim Murphy said he lives in Hellertown. Mr. Banonis said so you are not a resident of LST or a taxpayer? Mr. Murphy said no. Mr. Banonis said Sir, then unfortunately we can't allow you to speak it's only for residents and taxpayers. Mr. Murphy said yes, he heard. Mr. Banonis said thank you for coming.
- Larry Wright said he wants to register his objection to the landfill expansion for many of the reasons that have already been mentioned, but one that is not is that it is certainly in the economic interest of this area that it's attractive to other people who want to move here. There's already a blight at the landfill that is detrimental to the attractiveness of this area. Expanding it only adds to that, but more importantly right now he wants to address the issue of the library. It's been suggested in past meetings that people could buy books on Amazon. It's also been noted that we could go to the Free Library of Philadelphia but of course they don't actually send out books, everything is done by electronic media. It's also that the affluent that may be able to have an electronic reader for everyone in the family who wants to read so those are both solutions for, or partial solutions to the affluent who don't have a library but for a great many other people those aren't possible. HAL is of course far less affluent than this immediate area. The library is a of paramount concern to them over books, but also for computers so for that reason, it's much more important that HAL have the library, host a library, than it is for instance going to another area. Also, the HAL is accessible by foot. No other library that has been proposed is accessible so for that reason and for accessibility, it's important that

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we support the HAL and of course, not incidentally, that would also give us our library privileges which we've done without for the last 18 months.

- Victoria Ophhof-Cordaro said she also wants to point out that she thinks it's amazing that the Township has come together at 9:00 a.m. on a Wednesday morning. She has seen meetings scheduled at 12:30 p.m. and now 9:00 a.m., and it seems that both of those times have been when there's a landfill or the destruction of 275 acres on the agenda so she has to try and question why is it that people that are opposed to the landfill are subjected to take off of work or from trying to get here in the morning, medical appointments, there are classes, there are children going to school. When every other meeting is at night when people would typically attend and come to a Township Council meeting. Second, she would like to point out again, three minutes for somebody to try and express the concerns they have with multiple agenda items that have significant impact on the community. No. 1 they have a Host Agreement. A Host Agreement which has never been on the agenda since November 2022 when this Council authorized our Solicitor in his sole capacity to negotiate with the landfill in their sole capacity to come up with a good deal for 11,000 residents. It would make sense to her that if we really wanted to discuss what was in the best interest of our community and not just the landfill, we would have community meetings where residents could come at a convenient time where they could provide their input. They could provide their concerns. Maybe this Council could hire professional experts that are detailed in environmental, geologic, in planning in landfill expertise because she knows Mr. Treadwell has been the Solicitor for many, many years, but maybe he can answer this question is he an expert in landfill contracting because there are plenty of attorney's that would be doing this for a living instead of a municipal law, they would be doing contract law and that might be somebody that we could consult with for a contract that has millions and millions of dollars over 30 years we are into the future. So, she does request kindly that this Council consider having multiple meetings taking input from your residents at a time that is convenient for them to appear and also from experts who could guide the Township in such a way that they are acting in the best interest of our residents because the perception is when we send a municipal attorney to negotiate with the landfill behind the scenes, when there are no public hearings about it, it doesn't smell right. That's that comment. She also believes this Council should be considering having our HAL back. We have spent hundreds of thousands of dollars on litigation. We are suing the OCL. We are suing Hellertown. We are suing the HAL. We could be spending that money to educate our children and she really hopes this Council considers that. The last thing she wants to say on the agenda items, is the conservation easements. We have 201 acres of beautiful conservation property...Mr. Banonis said your time is up, please wrap this up. Ms. Ophhof-Cordaro said thank you very much. We have 201 acres of beautiful conservation property that our Council members back in 1994 put under conservation so that our residents and the LV as a whole could benefit from the beautiful air and the water and the pristine nature of that forest on top of the Lehigh River. Why in anybody's common sense...Mr. Banonis said you need to wrap up your comments, it's been more than 30 seconds. Ms. Ophhof-Cordaro said she kindly asks for the two-minute extension you referenced in the beginning of your agenda. Mr. Banonis said denied.
- Chris Guro said she wants to go on the record saying she is against the rezoning of the 275 acres to LI and approval of the proposed Host Agreement. How can you ignore these conservation easements preserving this land in the view shed of the 911 Memorial Trail and the D&L Trail not to mention the proposed Helipad, the environment, habitat, water, air, etc. She believes the Host Agreement needs additional review and input from experts and local representatives of this community. The Host Agreement will sell out residents and their children for decades to come. For the love of God and our LST residents, use that \$250,000.00 you want to give to Upper Saucon Township Library towards the restoration of our relationship with HAL. We don't need a committee made up of all your favorite local political cronies.
- Kim Miner – left for an appointment.
- Deb Philpotts - left for an appointment.
- Dru Germanoski said he's a Township resident and he's also a member of the EAC for several years and was on the Open Space Committee. Some background – previously Council contracted with the Morris Arboretum at the University of PA to do a natural resource inventory for LST so that the Council could make wise resource decisions. We also have a carbonate ordinance that a wise Council put into place recognizing the hydrologic and environmental significance of terrains underlain by

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carbonate rocks. They are aquifers that are important. They are also very susceptible to contamination so we have as background, we also noted the Township residents have voted to be taxed slightly more for open space preservation. We value these things. Look at the Township website. You don't see a picture of the landfill there. What you see is open space and a forested landscape so with that background, he's a professional geologist. He knows this landscape. The landfill is sited on metamorphic rocks known as part of the Reading Prong. In NJ, they call it the Highlands. In NJ, they protect the Highlands as they recognize the geologic and hydrologic role of those rocks and ridges. They are the groundwater recharge areas. So, just to read from this Natural Resource Inventory, major natural resources of LST are water in the form of springs, seeps and streams; the Reading Prong is the source of natural stream flow and provides water supply for the Township and adjacent municipalities through reservoirs and protected watershed lands. Extensive forested slopes that provide habitat for a diversity of birds and other wildlife, protect water quality and quantity, and provide a prominent green matrix that is important to the quality of life for the people of the Township. You are not voting or considering rezoning. What you are doing is you are deciding to condemn and destroy a forested landscape that has springs, vernal ponds and other wetlands that provide habitat for several state endangered plants and a variety of reptiles and amphibians, feeds water to Bull Run, a carbonate stream. This is complete destruction and as a geologist he thinks what could be worst, maybe mountaintop coal mining in WV or KY, actually no. That doesn't destroy the hydrology forever. You can reclaim strip mining properties. You can't reclaim this landscape. If you vote to rezone this landscape to LI, you are voting to destroy it. You are voting to remove its hydrologic function which is recharges aquifers, which feeds the Lehigh River, which feed Bull Run. You are destroying the wildlife habitat that thrives in that landscape. Ginger Petrie has put her property up for conservation easement which the Township approved several years ago because the Township Council valued that representing the people of this Township. You are going to vote to reverse that if you ignore all of this information and knowledge base...Mr. Banonis said Mr. Germanoski, your time is up, please wrap up your thoughts. Mr. Germanoski said he just wants to reiterate that this is sensitive real estate, that has significant environmental amenities, provides ecological service to amphibians and reptiles through vernal pools, springs that are along Bull Run that water comes from where the landfill is proposed to expand, that will disrupt the hydrology. There will be no seepage to recharge groundwater as there is now in the natural world, there will be runoff generated from the impervious surfaces...Mr. Banonis said alright, he understands, thank you very much.

- Gordon Gress – declines
- Donna Boden, Lower Saucon taxpayer said she wanted to speak as she does not support the landfill and also, she supports full funding the HAL. She wanted to share about HAL. She has a 5th grader and he loves chess along with his friends. She shared that with Ms. Andrea from the library in the summer as well as all the great summer programming and summer reading. She formed a chess club and they had as many as 20 kids coming to chess. These are mostly teenage boys who could have been playing video games, could be getting in trouble. They were excited about chess. They were playing chess at home with their siblings and their friends so they could get better at it. Isn't this what we want for our community? We want to support these kids as they are excited about something productive. They opened the new chess club and it was successful throughout the school year and most of our kids can walk to the school or can be easily be dropped off by parents. His son couldn't do this if it was at the other library. So, she supports fully funding the HAL.
- Cindy McKellin said three minutes is an inadequate time to express all her opinions given that there are numerous controversial issues on this agenda. She opposes the approval of Ordinance No. 2023-05 that changes zoning of 275 acres from RA to LI and further allows landfills and waste disposal facilities as permitted use. Conservation easements mean nothing to the dump. In the mid-1990's, the City of Bethlehem, then owner of the dump, and LST signed a conservation easement agreements preserving parcels of land surrounding the dump intended to protect sensitive nature of the area surrounding the dump. Now the dump wants to remove those easements and create other conservation easements that are more useful to the dumps current mission to expand. The dump knew those conservation easements existed when they purchased the dump from the City of Bethlehem. Explicitly stated on page 3 of the new conservation easement document is "The Township believes it is in the best interest of the Township to release the scenic and conservation

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easement, former Bethlehem Steel property adjacent to the City of Bethlehem landfill in exchange for this grant of conservation easement and declaration of covenants for the easement area and the other conservation easements. Well guess what, she is the Township and so are all the people in this room who are opposed to these new conservation easements. She 100% disagrees with these changes. The Host Agreement is a very long and complicated document to be able to read, understand and develop meaningful comments in a short time they have known about it. Have you on Council actually studied and digested the impact of this Host Agreement. This agreement appears to have been written by the dump. She knows a couple of you on Council are lawyers and then we also have Linc. Since you are not looking out for her best interests, she respectfully requests that no action be taken today to give them more time to compare this Host Agreement with the May 7, 1998 agreement and to host agreement of other municipalities. The previous Host Agreement dated May 7, 1998 also contains language of landfill, woodlands, easements, which is why she believes you found it necessary to urgently overhaul the conservation easement agreement and the Host Agreement. Lastly, the library has been a source of frustration over the past year and a half. Why we need a committee to resolve this she does not know. All we need to do is pay our fair share to HAL and get back their home library. If we need a committee to do this, she wants to be on that committee.

- Bob McKellin, Lower Saucon Township taxpayer said he's opposed to the landfill expansion but will get back to that during the hearing part of this 9:00 a.m. meeting. You had a year and a half to solve their library issue. The simple solution is to go back to HAL which serves us well for so many years and was fiscally the best solution for all of us. Those who would rather go to the SLPL could do so at that point if you had the Access PA plan if we had a home library as well as those who choose Bethlehem's library, they could do that too. Mr. Banonis, a year and a half ago, you read us a letter from a family in Wassergass, the Billig's, who told them they would rather go the SLPL, so his simple reply to them should have been you can get your access card and you can go to SLPL and get your card there. HAL offers us as LST residents the best and most economical library solution. Then for many meetings we heard from Tom Carocci telling us all about the Philadelphia Free Library and his Access PA sticker. Well, guess what. He got his Philadelphia Free Library card and it says Access PA right here on it. Well, he went to Bethlehem with this, no deal. He went to SLPL, no deal. Sadly, they have been misled by Mr. Tom Carocci regarding the Philadelphia Free Library. This card says Access PA but as the Philadelphia Librarian that he talked to on the phone told him you need a home library. So, he would ask Council if you are looking to form a committee for a library, do not expect proper input from Tom. HAL is the best answer for LST residents. Support HAL that supports our kids, our grandkids, and us retired people.
- Claire Sadler, Executive Director of the Delaware and Lehigh National Heritage Corridor and...Mr. Banonis said are you are resident or taxpayer of LST? Ms. Sadler said we established this before and she is not. They are listed in the easements and they are under LST with their grant making. Is there a reason they cannot speak? Mr. Banonis said yes, you are not a resident or taxpayer of LST so this is public comment...Ms. Sadler said they are listed in the conservation easements that are on your agenda. Mr. Banonis said you are not a resident or a taxpayer of LST. This is for residents and taxpayers. Ms. Sadler said she wants to make sure this is on the record that they asked to speak.

Someone said she would like to request Mr. Carocci pay attention; he has not paid attention in the last ...Mr. Banonis said Ma'am, you are not being recognized. There is someone at the microphone who wishes to speak, so please do not interrupt them.

- Britt Kondrary said she's the Conservation Coordinator at the Delaware and Lehigh National Heritage Corridor. She will call that the DLNHC just to save time. They are listed on both .6 and .8 of the conservation easements for the two parcels included in the proposed rezoning. She is here to represent her organizations objection to the rezoning on the two important parcels. Their organization was designated by the U.S. Congress in 1988 to preserve, protect and celebrate the national and significant industrial heritage of their five-county region that includes Bucks, Lehigh, Northampton, Carbon and Luzerne. They strive to make connection, focus on their four pillars, industrial heritage, nature and environment, health and wellness, economic impact. They believe considering either of the parcels, the Helms and or former Bethlehem Steel for rezoning in at any

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capacity in the state, for the region and for generations to come. They have 2,017 economic impact studies for the entire five county corridor which she would like to submit as an exhibit and this document is \$474 million of annual economic impact. If they assume that impact is spread equally across the corridor, they arrive at an average value of \$179,815 per square mile that's generated through tourism, industry, and lodging. These metrics are with a third-party study and assessment and they ask if there has been an economic impact study for the Bethlehem Landfill expansion and has it taken into account the many ways that the expansion would retract from the economy sectors of the Township. The D&L trail speaking on economic development, the D&L trail is on its way to being the longest multi use rail trail in PA. These economic impacts are projected to increase with every new mile and at present the state has committed millions to connect the trail with an appeal made by an Executive Director yesterday to the State Legislator for an additional \$6 million to close gaps in Luzerne County so there are local, state and federal agencies really working to build the trail connection and thereby increase the economic value of the community alongside the trail, increase the quality of life for visitors and residents, and they ask that you prioritize the trail, use your experience and the cost of life for your residents that you consider...she's out of time. At present, the Township does have numerous natural resources including the Saucon Rail Trail which funding will allow to connect to the D&L trail, you have your park system, your open space and as residents have said the Lehigh River. The landfill expansion will affect the quality of the Lehigh River. They just ask that you take this rezoning consideration very carefully.

- Stacie Misczenski, Lower Saucon Township said so three minutes is really not enough time to express how they really feel about all of your lovely administrative issues here. She also doesn't appreciate this Councils disregards to standard working hours. She is supposed to be at work. She had to take the time off, thank you so much for that. As a resident, she has seen first-hand that your activities and your decisions that are definitely swayed by PAC money, so as far as Ordinance 2023-05 goes, she feels that the LVPC which handles 62 municipalities in the LV and has a mission to promote health, safety, general welfare of the LV's region and they work in accordance with the provisions of the PA Municipalities Planning Code (MPC) has already provided you with their response with their letter to you stating that landfills and waste disposal facilities have a special exception to a use permitted by right, in the LI and exempt landfills or waste disposal facilities from the site plan approval process for a reason and they found that these text amendments do not align with the intent of FutureLV, the regional plan to protect the health, safety and welfare of the public pursuant to their policy 3.2 and overall they found that the proposed zoning ordinance amendments, map amendments do not go with the goals outlined in your own Township, your Township's Comprehensive Plan so their voice was also heard and you still went ahead with these hearings. Also, the Host Agreement, was never presented to the Landfill Committee, it certainly wasn't presented properly to them as a community. It will be a detriment to the community. The one thing she doesn't see in the agreement that's not there, it doesn't limit the landfill to accept waste that originates from specified geographic areas, importing potentially hazardous waste from out-of-state areas, and accepting waste from local jurisdictions, it's called the flow of control restrictions. It's commonly used by municipalities but it's not an agreement and the reason why is, this agreement entirely benefits the Bethlehem Landfill and that also shows you never even listened once to your constituents. Also, the library, we do appreciate our library. We appreciate the HAL and you don't need a committee. All you have to do is help them and realign them with that library. She'll save the rest for the hearing.
- Mary Zingone, Lower Saucon taxpayer said here we are again, she feels like this is home. She comes in front of you for guidance. She doesn't understand this whole thing. She knows many of you are lawyers on the board. Mr. Carocci said and then we have Linc. Ms. Zingone said she would hope they have environmental lawyers on the board who would seek out the advice of people like the geologist we heard from before making decisions that affect everyone in this Township. It doesn't seem to be the case and her mom always told her so follow the money and she did business for 35 years and that's one thing she would tell her clients, so follow the money, so she's looking for guidance for you to tell her how all these plans that you have will benefit her as a taxpayer. She'll get behind you if you tell her why. She will tell you her side, what she believes. Who benefits from the actions of this Council? Surely not future generations of our children, not citizens of LST, not our environment, not the air we breathe and the rivers and streams, not the wildlife, not our open

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space, not the reputation of being a beautiful place to live, not the schools, library, parks, roads. Who benefits from the land being raped? Make her understand. Not those losing property values, not those dealing with the constant flow of truck smells and the complete arrogance of the voting things this Council puts forward, so then who benefits. She knows you won't answer her as she knows this is just a one-way conversation, but you owe all of them an explanation, who benefits from this? She doesn't see it. So then who benefits. This is what she thinks. The Texas dump company benefits. It's like Council handing it to them on a silver platter especially with the new reg stuff you are doing, giving them the option to provide trash from places east of the Mississippi by rail to the intermodal and then to the dump. She knows that is going to come. You are going to let anybody from Ohio and everybody else will be shipping in their trash, via rail, to the intermodal and then carry it to the dump. Think about the amount of land you are asking for. There is no other reason you would be asking for that amount of land, none at all because what we have now will handle LST trash so you are going to bring rail cars of garbage in from the Central U.S. Mark her words. The development companies who will sell the land then buy and make huge sums of money from the companies wanting to put warehouses...Mr. Banonis said please wrap up your ideas here. Ms. Zingone said she will Sir. She said the companies by the warehouses, by the tracks, the persons who think this is a payback for not getting what they want in Hellertown, those who took campaign money from the landfill company they benefit and she wonders really how much. Mr. Banonis said alright Ma'am, your time is up, thank you please step away from the microphone.

- Frank Palumbo said you guys know he's a resident so he's not going to tell you where he lives as it is irrelevant although he does live in LST. He said he recalls Linc telling us the reason we want to rezone some of this land into LI is we can potentially get sued and clearly, we are being sued by a lot more right now because of this Council. You heard everyone else talk about the library, the compost center, everything else we are being sued for and will be sued for in the future. So, trying to justifying rezoning any land for development for the dump specifically because clearly the PAC has had a major influence here. Clearly money is ruling this Township and the money is coming from the dump and some of the members of this Council are the recipients, via PAC influence and is clear as day and is borderline corruption. So, who is against the dump – Citizens for Responsible Development – him, right here. Look at all the other people wearing these shirts, the City of Easton, Bethlehem Township, the Shad Fisherman's Association, the Delaware Riverkeepers Association, the D&L Trail, Hellertown Borough, NC Commissioners, LVPC, St. Luke's Hospital, all against it. Who is for it? She's sitting right back there and a couple of guys here taking the PAC money. So, the democracy that he thinks he lives in, the people don't want this. They spoke many times and they will keep speaking for their measly three minutes that they always get. You guys want to make long-term decisions that impact them for generations, as the geologist said, we trash this land literally, it's gone forever, and we will never, ever, ever use this land again for anything. Just think about that. There's only so much land in this Township. You guys want to hand it over to the dump. The worst possible option out there and you want to turn it into more trash. You guys literally have no conscience, no planning foresights, you haven't done any kinds of studies. It looks like a pre-law student drew up this agreement with the dump and you guys are like take it, bring it on, we'll sign it but we have no recourse. Three of you guys are lawyers up there and he can't believe you would even entertain this joke or a sham of a contract; and the protections of the property owners that's already admitting the values of their properties are already going down, it's clearly written into that. Mr. Banonis said your time is up. Thank you.
- Evan Needham said good morning. He prepared a speech but even though you can go to war, fight for your rights, you come home and have your first memoir in French, he'll try to make it concise. He'd like to give you a little bit about the 6 human needs of life to be able to give an ability to still have a life of fulfillment even after this decision. Six human needs of life are love/connection, variety, significance, certainty, growth and contribution. He'd like to emphasize on two of those being significance and contribution. Significance is something where we all want to feel special, significant and special and important to another person, or in this case our community. The question to ask yourself is what form of significance are you being to this community. Meaningful work, or by contributing to humanity are all forms of positive significance. Next is growth and growth stems from working on expanding what you deem important in your life whether it's your family, career, integrity, maybe money. You must be careful because growth can both be positive and negative.

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Positive growth would be personal development in becoming a better person, but negative growth would be growing into a despicable person and that's going backwards in life. Next is contribution. Contribution is looking beyond yourself and giving to others. When you are helping others and improving lives and making a difference, you gain significance but most importantly you are contributing. Lastly, there are heroes in this world to help others when afforded the opportunity and there is evil that exists among us for a self-consumed and great life altering problems. You each are in the position right now to decide which one you are going to be. Having your own family aware of the impact that you have on this community, and no it is not too late to make your decision change. What type of neighbor are you going to be to those around you? Are you going to be the hero in this world or are you going to be the evil keeping honorable people up at night who do not deserve this. All of us here today and the thousands who are watching this are all going to get to see who you are. Thank you for your time.

- Monica Willard said she's a LST resident. She's here today because she really cares about this community. She's fairly a newcomer compared to a lot of other people. She's only lived here for 18 years but she is new to the area in many ways. When she hears about the geology, the science and she looks at what has been added here today, this Host Agreement is totally new to her and she's been following this. She finds it so disrespectful to think there would be a vote taken with very little notice on something so important in long range. She wants this government to work. She wants us to have a community that we are proud of and giving away conservation land is unbelievable to her. She was at your summit in 1992, and she had been an environmentalist in many ways but to hear the science, it is important and she wants to thank you for recognizing Sandra Yerger with a park and yet she voted against this and she is wondering what you aren't listening to that you have two woman who voted against this. She wants us to be standing here as a community and one way to get this back and also changing it is the library. How can you deny this access to school children when walking to something that is so important? Books have changed lives. It's time to come together as a community and just tabling some of this would make a big difference particularly the Host Agreement changing the land assessment. She just wants to end this kind of hostility because she cares about her neighborhood. She cares about this community and she doesn't think you have the right to build contention and division when we have the responsibility for future generations. Thank you.
- Claudia Markellos said she read a long time ago most corrupt government is local. You show that. She calls for the resignation of you, Mr. Carocci, it's not going to happen, but don't laugh, but November is coming soon. She doesn't care whether you are on the ballot but the changes are going to stop this disruption of our Township. She doesn't know why LST has to focus on Hellertown as being some way to give what we give to the rest of the Township, what's wrong with Hellertown, why are you focusing on us because of the property. You don't deserve this, you need to leave, and you will, eventually you will be gone and she truly believes that.
- Michael Ciccarello said where is your social responsibility? When you were voted in, that's your number one job. What the hell are you doing? All you do is cater to your own personal needs. He's sure you are getting money out of this. Yes, you are and you are shaking your head yes. When you pollute everyone's well water, think of all the civil suits that are going to have you name on it alone. Yes, you are rolling your eyes too. You are so disrespectful. You know, F*%# you.
- Mr. Banonis said has Larry Opthof returned. Mr. Opthof said he just wants to voice his disapproval of this whole thing. First, he disapproves what's going on with the library. He doesn't understand why we are righting with Hellertown over this thing. We have no library at all now. He was ready to bring a box with a few books in for you guys to read, but he figured you guys have plenty of money, he doesn't have to do that. Secondly, he doesn't know why you are doing this with the garbage dump. He can't understand this unless there is something he doesn't see going on here and they are going to make lots of money and he doesn't see what's in it for us. He doesn't see it. He thinks the vote is already in, so he thinks he's just wasting his breath here but he's saying it anyway. He thinks Mr. Carocci should be put in charge of the clock because he has a hard time staying awake so he could click the clock. He can then stay awake. You guys should be ashamed of what's going on here. That's all he has to say.

MOTION BY: Mr. Banonis moved to take a five-minute recess.

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

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

3. PRESENTATIONS/HEARINGS/ORDINANCES/RESOLUTIONS

- A. PUBLIC HEARING FOR ORDINANCE 2023-05: THE PROPOSED ORDINANCE WOULD REVISE AND AMEND THE CODE OF LOWER SAUCON TOWNSHIP BY AMENDING CHAPTER 180 (ZONING) TO REVISE THE ZONING MAP DESIGNATION OF APPROXIMATELY 275.70 ACRES OF LAND (CONSISTING OF SEVEN (7) NORTHAMPTON COUNTY TAX MAP PARCELS) FROM A RURAL AGRICULTURAL (RA) ZONING DESIGNATION TO A LIGHT INDUSTRIAL (LI) ZONING DESIGNATION IN THE AREA OF THE TOWNSHIP NORTH OF APPLEBUTTER ROAD, EAST OF STEEL CITY, SOUTH OF THE LEHIGH RIVER, AND WEST OF THE ROUTE 33/ROUTE 78 INTERSECTION, THE PROPOSED ORDINANCE WOULD ALSO AMEND CERTAIN TEXT PROVISIONS TO ALLOW LANDFILLS AND WASTE DISPOSAL FACILITIES AS A PERMITTED USE IN THE LI DISTRICT, REMOVE SITE PLAN REQUIREMENTS FOR USES THAT REQUIRE LAND DEVELOPMENT & DEP APPROVAL, AND PROVIDE A NATURAL RESOURCE MITIGATION ALTERNATIVE**

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

Please refer to the hearing transcription at the end of this document

MOTION BY: Mr. Banonis moved to close the public hearing for Ordinance No. 2023-05.
SECOND BY: Mr. Carocci
ROLL CALL: 5-0

4. DEVELOPER ITEMS – None

5. TOWNSHIP BUSINESS ITEMS

- A. REVIEW AND POSSIBLE ACTION TO APPROVE AND AUTHORIZE EXECUTION OF 5 NEW CONSERVATION EASEMENT DOCUMENTS ON THE TAX MAP PARCELS IDENTIFIED ON THE ATTACHED MAP, INCLUDING THE LIFTING OF THE RESTRICTIONS ON LANDFILL USE FOR THE FORMER HELMS AND REDINGTON PROPERTIES**

Ms. deLeon said what about the vote. Attorney Treadwell said you will do it after this one. That's the way it is on the agenda. The stenographers are leaving.

Attorney Treadwell said this next agenda item is the proposed new conservation easement documents which include the release of the restriction that there's been a lot of discussion about today on the properties that were formerly known as Helms and Redington. What those two properties have on them now is a document recorded against them that is referred to in the title as a scenic conservation easement but in the body of those documents, the prohibition basically is those two properties are prohibited from having landfill activities conducted upon them. That's the prohibition. They are not full-blown conservation easements. There are no landfill activities on these properties, so in essence, restrictive covenants or deed restrictions. As was discussed last fall, he thinks the landfill had requested that the Township consider lifting those two restrictions. In return for that, what you have on today's agenda, in front of you, is 13 properties that would have conservation easements. Stacy, please put the map up with the green crosshatches on it, it's under the easements. He said while the

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map is loading up, there are 13 properties where there is a proposal to have conservation easements on some, if not all of those properties and the map will help explain which ones. It's approximately 193 acres of land that would be conserved in what he would call in full conservation easement fashion, no uses other than what's currently on the property like open space, trees and all those things with the exception that a couple of the easements allow, the new easements allow...there that one. A couple of the new easements allow for activities that would be required by DEP as part of any landfill expansion if in fact that happens in the future. What you see up on the map is the orange dotted line is the proposed disposal area for a future Phase V if it ever happens. The green hatching is all of the conservation easement area that would be contained in these new 13 easement documents on 13 properties. You've got the conservation easements. You have seen them. We can discuss it more if you want but they are also ready for your action. If you do decide to take action, he has a couple of other things to explain.

Mr. Banonis said Stacy bring up the page he has "execution of the five new conservation easements lifting restrictions". That one. So, what he tried to represent here graphically to simplify and Linc you can correct him if any of the information is incorrect. We have the Redington tract and we also have the Helms tract. Originally the conservation easements that existed on those two properties what he would call temporary conservation easements because there was never a third-party beneficiary that was designated for those conservation easements, right? Attorney Treadwell said yes, there was never a third-party beneficiary but he would also call them limited conservation easements because they weren't full blown conservation easements. There was no landfill use on these two properties; it was a promise basically not to expand the landfill on those properties. Mr. Banonis said the Redington tract, the limited conservation easement that was on the Redington tract was 136.67 acres and on the Helms tract is was 60.6 acres, the total of those two were 197.27 acres. His understanding of the proposal here is that after this proposal on the Redington tract, 71.62 of those acres would still be preserved in conservation and those would be permanent conservation easements, is that right? Attorney Treadwell said correct. Mr. Banonis said on the Helms tract an additional 24.3 of the original Helms tract would be preserved with a permanent conservation easement, right? Attorney Treadwell said when you say permanent, we've had this discussion before that there's no guarantee and nothing is permanent, but these new easements have the ability for the Township to name a third-party enforcement entity. Mr. Banonis said so the net that remains out of the Redington Helms tract that would be preserved through this process would be 96 acres and then the net loss to the Redington Helms tract would be 101.27 acres. Attorney Treadwell said just in terms of pure acreage, that's correct. Mr. Banonis said that doesn't mean active landfill operations or anything like that, it just means what we are talking about which would still be preserved which is what is the subject of this matter. Attorney Treadwell said the map we had up before which had the orange line shows even though the Helms and Redington tracts are proposed to be rezoned at some point potentially the disposal area does not encroach extremely far onto either of those two properties.

Mr. Banonis said in the below section, there are 13 total properties, and he will redefine his word permanent to reflect that they are not as limited as a prior conservation easement. Out of those properties there is Bushkill Motorcycle Club which is the hill climb at 44.6 acres. There are the western parcels which are those parcels that are closest to Steel City which would be 51.23 acres and there is an additional 1.3 acres along Riverside. Attorney Treadwell said yes down on the map; all of the green areas are included in those 13 properties, so the big piece on the far-left-hand side is the Bushkill Motorcycle or the hill climb property and then you have western parcels that are to the north of that, then you have the big portions of the Helms and Redington tracts and then some other landfill properties that would be conserved as well. Mr. Banonis said he'll identify these as the newly conserved properties, the total of that acreage is 97.13 acres and when you add in the additional acreage that is the after part from the Redington Helms tract that is 96 acres total. The total of all of the proposed conserved easements is 193.13 acres, which is almost identical to the number that was previously preserved in the Redington and Helms tract with its limited conservation easement, correct? Attorney Treadwell said yes, if Council approves these transactions, LST in the end, ends up with 193.13 of more fully conserved with the potential for third-party enforcement than the 197.27

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which existed before and had no third-party enforcement and were not fully preserved. Mr. Banonis said essentially what they would be doing is almost a one-to-one swap with greater protections on the land. Attorney Treadwell said correct.

Mr. Banonis said Mark, any questions. Mr. Inglis said he's good. Mr. Banonis said Sandy? Mrs. Yerger said just so she's clear if you look at the parcels on the left, it's all broken up into smaller parcels, all the little ones with the numbers, what is that? Is it fields, she's just curious as it doesn't come out...Attorney Treadwell said he would say it's mostly wooded. As you go west of the landfill up on Skyline Drive there, he's trying to picture it. He doesn't think there are any farm fields or anything....he would say it's mostly whatever the natural state is at the moment. Mrs. Yerger said okay, she was just curious. It was colored differently, so she didn't know what it was.

Mr. Banonis said he just has one question, and this was addressed earlier. What effect, if any does the comprehensive plan have with what is being proposed here. He understanding is that the comprehensive plan is just a plan without any legal binding requirements on us. Attorney Treadwell said the comprehensive plan is like kind of what the budget is to finance. It's a guess, but it's hey, this is what we'd like to see maybe but it doesn't bind you to anything. So, he thinks there are maps in your packet that show that the comprehensive plan as it exists today is incorrect in terms of there is part of the comprehensive plan that shows existing landfill disposal area as open space. That's not correct which just goes to the point that it's a guideline, not a rule.

Ms. deLeon said she has nothing. Mr. Carocci said he has nothing. Attorney Treadwell said in these new conservation easements if you vote to approve them, there is language where we can add a third-party enforcement agent to the easement. We can do that prior to recording or we can do it after we record the documents. His suggestion is he thinks it would be helpful to find somebody prior but if we can't, we can't, and it may have to wait. He would suggest as the first motion it would be you authorize the Township Manager to contact the conservancy type agencies that operate in this area and see if anybody is interested in being the third-party enforcement agency. That would be the first step. Mr. Banonis asked if there were any question from Council with regard to Linc's recommendation. None heard.

MOTION BY: Mr. Banonis moved to direct the Township Manager to contact the conservation entities to determine if they are interested in being the third-party beneficiary.

Attorney Treadwell said he would include any eligible entity.

MOTION BY: Mr. Banonis will amend his previous motion and moved to direct the Township Manager to contact the conservation entities or any eligible entities to determine if they are interested in being the third-party beneficiary.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-1 (Ms. deLeon – No as this is regarding conservation easements that are already legally on lands, the same lands this is on, and she can't support this.)

Attorney Treadwell said the next motion would be to approve the 13 easement documents, one of which includes the Motorcycle Club document.

MOTION BY: Mr. Banonis moved to approve the 13 easement documents, one of which includes the Motorcycle Club document.

Attorney Treadwell said and to authorize execution of those documents by the Council President when in recordable form.

MOTION BY: Mr. Banonis amended his previous motion to approve the 13 easement documents, one of which includes the Motorcycle Club document and to authorize execution of those documents by the Council President when in recordable form.

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Attorney Treadwell and finally if the Manager cannot find somebody to sign on as a third-party enforcer within, say three weeks, that we amend Paragraph 12 to say that we can add a third-party enforcement agent at a later date.

- MOTION BY:** Mr. Banonis added to his motion to direct the Township Manager to report back if he cannot find an appropriate conservation entity within three weeks, and to proceed with recording the documents and amend Paragraph 12 to say that we can add a third-party enforcement agent in the future.
- SECOND BY:** Mrs. Yerger
- ROLL CALL:** 4-1 (No - Ms. deLeon – based on the same reason she had before)

B. CONSIDERATION OF ADOPTION OF ORDINANCE 2023-05 REVISING CHAPTER 180 (ZONING) (SEE DESCRIPTION IN 3A)

Mr. Banonis this pertains to the public hearing we held today. Attorney Treadwell said correct that public hearing was just closed and it has been advertised as he stated and advertised for your consideration of adoption and enactment as well. Mr. Banonis said he doesn't have anything to add other than what he offered in the public hearing and he would incorporate that by reference. Mr. Inglis had nothing to add. Mrs. Yerger said other than parcel A that's on the map, she would like to not have that zoning changed. Ms. deLeon said where's that parcel? Attorney Treadwell said he thinks Sandy is looking at the easement map. Mrs. Yerger said yes. Attorney Treadwell said Parcel A is the parcel that's farthest to the right on the plan, to the east.

Ms. deLeon said she'd like to table this until we get other information and have more people vote and attend meetings about this. She just wants to table this. Mr. Carocci said so you can pander the voters. Ms. deLeon said are you the peanut gallery today. Mr. Carocci said so you can pander the voters.

- MOTION BY:** Ms. deLeon moved to table this agenda item.
- SECOND BY:** No second.
- ROLL CALL:** Motion fails

Ms. deLeon said fine, it's on the record.

Mr. Banonis asked Mr. Carocci if has anything to add and Mr. Carocci said he had nothing.

- MOTION BY:** Mr. Banonis moved to adopt Ordinance No. 2023-05 revising Chapter 180 zoning.
- SECOND BY:** Mr. Carocci
- ROLL CALL:** 3-2 (No – Ms. deLeon and Mrs. Yerger as per her previous statement)

C. REVIEW AND POSSIBLE ACTION ON RESOLUTION 58-2023 REVISING THE HOST COMMUNITY AGREEMENT WITH THE BETHLEHEM LANDFILL

Attorney Treadwell said Stacy do you have the email he sent her with the host community agreement amendment benefits, the summary or that he sent to Mark. Stacy put it up on the screen.

Attorney Treadwell said back in the fall of last year Council authorized him to discuss a potential amended host community agreement with the landfill. He started doing that last fall. About a week or two ago, after months of discussions with the landfill, they came up with this document to present to Council for your consideration and potential action. The significant benefits that are in this new revised host community agreement are an increase in the host fee from \$6.90 for municipal waste to \$11.00 for municipal waste starting with Phase V if it happens; and \$9.97 which is your current residual waste to \$13.57 starting with Phase V if it happens. So that is the host fee increase that's in this agreement. Up until Phase V is approved, the host fees remain the same as they are in the existing agreement with the escalator cost. The 3% fee to the Township on gross revenue derived from sales

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of methane gas is the same as it was in the prior host agreement. Spring and fall cleanup has been added in this new host agreement. There's a guarantee in this new host agreement of disposal capacity at the lowest municipal rate for the Township through the end of any potential Phase V expansion if and only if the Township at any point decides to collect trash from the residents either using a contract or Township trucks. There is also a right to lease the closed area of the landfill for municipal purposes at a rate of \$10.00 per year and that's the minimum rate. That lease provision was not in the previous host agreement. It's in this agreement. He doesn't know if that's what the resident was referring to before when she indicated that we had some kind of obligation to do something. We don't have any obligation to lease it, we have the right to lease it if we want, and to use it for what we want. It doesn't create any obligations on the Township to do any closure activities or anything like that. It's just the right to lease it for municipal purposes if you want to lease it. Mr. Carocci said for a park. Attorney Treadwell said yes it could be for a park. It could be for solar panels. Mr. Carocci said he'd want to put a park up there for \$10.00. Attorney Treadwell said you could turn it into a golf course if you wanted. Ms. deLeon said just don't light a cigarette. Mr. Carocci said no smoking at the deLeon Park.

Attorney Treadwell said there is also a property value protection program in this Host Agreement that was not in the previous Host Agreement; he knows they have heard from some residents today that they don't like it and don't want it. It doesn't have to be in there if you don't want. You can take it out. It's an attempt to address what some people have been saying for a long time is that the value of homes near a potential landfill expansion decreases but quite honestly if the people who it would affect don't want it, then..... Mr. Carocci said he thinks we should leave it in.

Mr. Banonis said the power went off, but its back up and running, and the time is 3:02 p.m.

Attorney Treadwell said he was saying there's a property value protection program in here which has the potential of costing the Township some money if people choose to participate in it. He heard some people say earlier they were being forced to sell their land which this is purely voluntary. You don't have to participate if you don't want to. Mr. Banonis said there's no requirement to sell the land if you participate. It's just to protect the value of when you do choose to sell. Attorney Treadwell said correct.

Ms. deLeon said does that apply to everyone or do you have to sign a contract? Attorney Treadwell said no, there is in the Host Agreement there is an area of houses that it would apply to and if you'd want to participate in the program, then you have to say you want to participate. Ms. deLeon said they tried this a couple of years ago and it failed miserably. Attorney Treadwell said nobody ever tried this before. Ms. deLeon said yes, they did. Attorney Treadwell said they tried to buy houses in the host agreement? Did they try to put a property value protection program in a host agreement? Ms. deLeon said no, but they had the program. Attorney Treadwell said and the program was what? Ms. deLeon said similar to this. When you go to sell your house, you have to...she can send it to him if he wants it. Attorney Treadwell said but it wasn't through the Township? It was private; it had nothing to do with the Township. Ms. deLeon said it was with the landfill. Attorney Treadwell said right, okay, but the Township wasn't involved. Ms. deLeon said no, now it is. Attorney Treadwell said it would be if you agree to this agreement. The hours of operation for the landfill would remain the same under the new Host Community Agreement. The daily volume limits would remain the same which maintains the same delivery and truck traffic. The potential for increased truck traffic is when volume goes up and how much gets disposed there each day. This agreement keeps it the same. There is a prohibition against disposal of waste by direct rail so no rail from the tracks down by Riverside Drive. It doesn't address the potential for someone to have rail somewhere else that somebody else brought up. Mr. Carocci said it would have to go on a truck. Attorney Treadwell said yes, it would have to on a truck. Mr. Banonis said or build a railroad. Attorney Treadwell said there is a continuation of water supply testing and there is a prohibition against solid waste incinerators.

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Mr. Carocci said just to make it clear, even if someone did it indirectly by rail, the volume level would stay the same. Attorney Treadwell said absolutely. The daily volume limits are the same.

Mr. Banonis asked Stacy to bring up the proposed host agreement paperwork that he has. That's it. He said he took a little time to go through the agreement and point out some of the things that he thought were important, and certainly others may think other parts are important. On the revenue side of things, the current rate we get from BL is \$6.90 per ton. That would go up to \$11.00 per ton for municipal waste and we currently get \$9.97 for Form U waste and that would go up to \$13.75. It's his understanding that this is the highest tipping fee by far in the state of PA and it shows the significance of this to the overall waste marketplace. If his understanding is correct, that the projected life span for what the proposed landfill expansion is 18 years, and the consequence of that is that the \$72 million, again, \$72 million to LST over that 18-year period. \$72 million that LST residents and taxpayers don't have to fork over to the Township to fund the municipal government and everything that we have here.

Mr. Banonis said second page, on the services side, it guarantees LST the lowest municipal rate for its waste, so if this Council or future Council decides to have a single hauler waste program for the Township, we would be guaranteed the lowest municipal rate for that waste and it also gives LST residents a new benefit, which is an annual spring and fall cleanup at no charge so these dates will be set in the spring and fall for LST residents where they can take their waste within reason and within environmental requirements to the landfill at no charge. That helps to beautify the Township by keeping it tidy and clean by people getting rid of clutter they have inside or outside of their homes and it also gives the Township the right to lease over 130 acres of closed landfill space for \$10.00 for parks or other uses that haven't been identified yet.

Mr. Banonis said on the property value side of things, Linc already talked about the property value protection plan and that provides property owners protection of 15% of their properties. He thinks it's significant that the property value protection plan is greater than LVPC's predicted property value decrease so residents are well protected by that if they choose to opt into the system.

Mr. Banonis said then we go on to the next page which is conservation and open spaces and it creates the easement's perpetuity and they are not subject to removal like the past host agreements entered by Council. It increases the number of conserved properties from 2 to 13, which is greater than 600% increase in the number of conserved properties. The conservation easements cover more areas. Conservation easements cover areas that are especially adjacent to the Lehigh River and Steel City and in fact they create a larger buffer between the landfill and Steel City to provide some protection to the residents of Steel City that did not exist before. If you look at the 1998 agreement, the average distance of the historic areas from the landfill to the Lehigh River was 966' and in the 2023 agreement it is 1,299' and that's a 333' gain which is more than a football field and gaining greater distance between disturbed areas and the Lehigh River so it provides greater protection for the Lehigh River. Attorney Treadwell said that's not actually in the agreement. That's the old Phase V proposal versus the new one. Mr. Banonis said thank you Linc, but regardless, he still thinks the new host agreement and the benefits that come to the Township are meaningful that provide financial security for the Township moving forward. That's what their obligations here on Council are is to assure that we hand off Township governance and operation so that the next folks may be on Council at some time in the future are not left with a mess. With that said, Mark anything. Mr. Inglis said he's good. Mrs. Yerger said nothing, thank you.

Ms. deLeon said she voted no to the last Host Agreement because a lot of the conditions in there with binding future Councils which seems to have stated in there. Is there an escalation clause on the annual fee for the host fee, Jason you said it was eleven dollars. Mr. Banonis said didn't you read it? Ms. deLeon said she's asking him. It's not for him to interpret the agreement for her. Ms. deLeon said she did read it, she just wanted to...never mind. She is against the property value protection program and that should be taken out in her opinion. She is against the binding future Council language. The built in conflict interest for the engineering firms. There's a couple of other things

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she's against. Basically, she is not in support of this and it is the first opportunity the residents had to see this document. The first opportunity our residents had to see this was on Friday when the meeting agenda was released. There are probably people that haven't even read this that a lot of this stuff applies to them so she feels it should be tabled until more residents are able to have more say and make comments. The draft Host Agreement should have been prominently displayed on the website so people could read it and see it. She would really like to table it and go back for further consideration and also that this deserves more time and that it really should be reviewed by some environmental attorney familiar with landfills and provide feedback before any action of Council was taken.

Mr. Carocci most of the voters you are pandering to have left but what he will say is this provides \$70 to \$80 million to the Township over the 18 years when it goes into effect. He thinks that is great and the Township will need that money for police, fire services and parks and other things. It will definitely alleviate the burden on taxpayers and the school district for that matter. He wants to thank Linc for negotiating this. He thinks he did a great job and a lot of hard work and he certainly appreciates it.

Mr. Banonis said he would add is that the new agreement is a total of 17 pages, and we've had this since Friday, so if you read three pages a day, there's plenty of time to get through it. With that said, unless there are other comments from Council, he's going to make a motion.

MOTION BY: Mr. Banonis moved for approval of Resolution #58-2023 revising the Host Community Agreement with the BL and instructing the Township Manager and Council to executive it.
SECOND BY: Mr. Carocci
ROLL CALL: 4-1 (Ms. deLeon – No)

D. DISCUSSION AND POSSIBLE ACTION ON CREATING A COMMITTEE TO REVIEW A LIBRARY FOR THE TOWNSHIP

Mr. Banonis said we've been talking about library services for probably two plus years at this point. They've attempted to give HAL \$50,000.00 of Township taxpayer money on multiple occasions and they sent it back. HAL has also taken steps to remove LST from their service area. OCL granted that request without giving LST due process, we have engaged in discussion with SLPL in Upper Saucon Township about joining their library and that issue may move forward at some point. What occurred to him was we began these discussions it was really about creating a first-rate quality library services for LST, and he thinks that has been their goal all along. He thinks it's incumbent upon us to continue on that path. What crossed his mind was when we talked about having a first-rate library, we really wanted to have a library for the future. We didn't want to necessarily have a library filled with stacks of books. It really needs to be a library that is digital centric and that provides technology to both young people and senior citizens and we can actually do that, he thinks in a fairly reasonable way to create a library for the future and what also occurred to him was we had Xfinity Comcast come in to us in July and as a result of that the Township will receive a licensing fee. What a better partnership to have than with an internet provider to use the licensing money that may come in as well as perhaps partner with Comcast Xfinity to try to develop digital resources for LST residents and also create our library so that we can be part of the OCL library system which would again give LST residents access to the PA Access card and the libraries that are within the OCL system. As it stands now, LST residents continue to have the ability to join any library that they want and there are a number of residents that use library services at the HAL and the Township continues to reimburse those residents both on an individual and family basis. Tom has spoken many times at his Council reports and he may again today with regards to the data that shows, he would describe it as minimal use of the HAL by LST residents to the cost savings of probably \$100,000.00 to the taxpayers.

Mr. Carocci said as of today there have been 310 reimbursements for \$10,760; 228 families received memberships that cost the Township \$9,120.00 and there are 82 individuals membership that cost \$1,640.00 so we are a Township of nearly 12,000 residents and we issued about 310 cards. Some of

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them are family cards, 228 families, that's for multiple people, and we are probably looking at under 1,000 people using the HAL at this point. One of the reasons that he has always stated, while it may be a fine library, it's not big enough for the 12,000 LST residents and the 5,000 HB residents which is 17,000 residents. In fact, he cautions the 310 library holders not to go to the library all at once. He thinks the fire capacity for the building is only about 200 without a fire code violation, so maybe we should put that on our website. He thinks we looked at the space and we calculated that about 200 people can be in there without it being a fire code violation. In his opinion, we should set up this committee. It should still be open to what he thinks is the best-case scenario and that is the 5 municipalities, LST, UST, HB, Coopersburg and Lower Milford creating a library authority or system with two branches, one in Hellertown and one in Southern Lehigh branch which will be right next to a big YMCA at both ends of the rail trail. You have two branches, you have one library director, and neither of them can hire a library director because neither can afford it right now, at least one worth their salt. That way all these 5 municipalities can create a library that's going to be relevant with programs and things that kids and adults are going to actually want to go to the library to do in the next 5 to 10 to 20 years as a lot of it is going to be digital. He thinks the committee should explore that and but also explore perhaps LST doing something on their own as far as creating a digital library and programming for our residents and children. He feels we have some money to invest in something like that. It's never been a question of investing in libraries for him, he's a big fan of libraries. He thinks they are great but you have to spend money wisely and the problem with HAL is they want our money but they don't want our two cents or have any board representation. All they want is keep forking over the \$150,000.00 a year. They put in front of us a 5-year deal with no board representation that would cost us, he estimated, between \$750,000 to \$800,000. When we took out the initial first year of \$110,000.00, years 2 to 5 were not defined as far as contribution. There are capital contributions when they need a new roof or need to repave the parking lot, and to him this is a nonstarter. He thinks this is going to be shown as being political on HAL's part. They are being sued under the Right-to-Know (RTK), because HAL will not turn over emails. Those depositions, that he understands, have started and we are going to find out exactly what games they are playing. He thinks this committee is a great idea and he thinks the sooner the better and figure out what is best for LST residents.

Mr. Banonis said to add on to his comments, it's now a little bit over two years ago he met with Tom Rieger, President of HB Council, Mayor David Heintzelman from Hellertown, and Ken Solt who at the time he believes was the President of the HAL and they specifically discussed the library authority idea with the other municipalities and they were not interested in it. Perhaps their interest has changed now, maybe time has improved that, he suspects maybe not, but he thinks we can approach them as well as UST and Coopersburg and Lower Milford to see if they are interested in something larger. The point that you make, which is the absence of a librarian who is authorized to run the library by the state is significant for both libraries. What a better time to find a single librarian to administer both libraries and help bring this together. He thinks there will be cost savings in that and he thinks there is some economies of scale, and he thinks we can have a better product in the end which is what they talked about two years ago. Sometimes it takes time for people to come around to these ideas and maybe now is the time. If not, he thinks we also need to explore the possibility of LST creating its own library, but a library that is going to be digitally centric and focused really on technology and being a library for the future so our residents can have a first-rate library with great programming and great resources.

Mr. Carocci said he agrees. Hopefully, we'll have some landfill money he knows Priscilla and some others are going to try to take that \$70 to \$80 million over the 18 years away from our residents but that can certainly build, quite frankly, a world class community library. The library authority is clearly the right thing to do, it is clearly the best thing for LST and HB and the other residents of other municipalities. The only thing holding this up is people playing politics with libraries. Priscilla is pandering the voters. It's clearly...Ms. deLeon said she objects, she could be saying all kinds of things about him but she really holds it back to try to be professional. Mr. Carocci said thank you for doing that. That's what he sees and how he stands on it. He thinks it is a great idea.

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Mr. Banonis said the one thing he'd like to do at this point is they received a few emails and he would like to identify the authors of those emails (*see attached*) and when those emails were sent to us with regard to this issue and we can attach those to the meeting minutes. The first one is from August 29, 2023 from Alice Karpa; the next one is from Danae Oliveri dated August 29, 2023; the next one is from Susan Plessor, August 29, 2023; the next one is from Jessica King also from August 29, 2023; and the next one is from Kathy Fenstermacher and family members all named below, Mr. Banonis said he is not sure what family members are named below but that email speaks for itself and is dated August 29, 2023; and we also have an email from Michelle Lanning from August 29, 2023; and another one from Megan Lomangino from August 30, 2023 and another one from Katherine Walsh and family dated August 29, 2023 and the last one is from Megan Eisenbraun dated August 29, 2023.

Mr. Inglis thinks the public is a little misinformed as to what's going on from all of this. Linc is a worthy knowledge as to how the library system works and a lot of roadblocks have been put up. All we tried to do it get equitable representation in the library. We tried it with HAL with the \$50,000.00 which they denied. We tried it with UST and it didn't go well either. So, we are kind of between a rock and hard place with the only option being blackmail, and he doesn't know why people don't see that. You can't tell us pay this, less representation, and then you can come here. In fact, the state has also put up more roadblocks so we are kind of caught in the middle and this might be a nice way out for us with the ultimate goal being a regional library system with who Tom mentioned earlier. He doesn't think people understand how this has really played out. You hear things but it's like we talked about before with the landfill. There's a lot of misinformation out there that isn't accurate. If you have any questions, ask. Don't sit there and listen to what your neighbor says because most of the time what your neighbor is saying is not correct. We have no agenda up here; our agenda is not to start our own library, our agenda is to have a regional library with our neighboring partners. Everybody benefits. Then we can go to the BAPL as Access PA gives that to you. That is their sole goal here people. Maybe if we provide the digital side of it all, and other libraries provide the bricks and mortars, it could work out but people have to be open minded and give them some time to investigate this on a whole.

Mrs. Yerger doesn't have anything right now. Ms. deLeon said she would like to say that it's embarrassing that we do not have a home library. There's feelings out in the community of a lack of trust with this Council because of the public disclosures not happening, it's been 18 months that we haven't had a library and she's asked to have it put on the agenda but she needs a second person to okay that because of that rule you guys have and she asked for updates at meetings and you look at her like she has four heads. So, the public distrusts this Council so you want to arrange for a committee, how many people from LST what are the numbers, how many people are on this committee?

Mr. Carocci said of course they would be from Lower Saucon, it a Lower Saucon Committee. We were kicked out of HAL and it's her friends, her political allies that were trying to extort them as Mark mentioned them for money is why we don't have library services, so she should ask Tom Rieger and Mayor Heintzelman, her political allies, why we don't have library services. They kicked us out.

Attorney Treadwell said there was a good conversation that was taking place with the SLPL and a bunch of the Township residents and he doesn't remember the residents and who it was and it was LST residents that went to SLPL and asked them to not take us in. Mr. Carocci said they were part of Priscilla's extortioners. Ms. deLeon said yes, it's comical, the meetings are comical now. Attorney Treadwell said he doesn't member who went. He's sure it is in the SLPL minutes the names of the people who asked them to not accept us.

Ms. deLeon said her last meeting attendance at the SLPL meeting was that they were putting together a similar committee to work on this and she's asking if this is a 5-member committee? Ten people, two from each municipality? That's all if these people cooperate to be on this committee. Mr. Carocci said no, you aren't listening. It's a LST committee only to see that we are going to do. Jason

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clearly stated that. He knows we've been here for a while but you got to pay attention. Ms. deLeon said she is. Mr. Carocci said he clearly stated that this is a LST committee to decide what LST should do about a library, should create our own, should we try and partner. That's what it is. Ms. deLeon said how many people are on this committee? Is that a fair question, do you know how to count? Five people okay she didn't hear that part. So far to date we spent \$145,000.00 so she is having a problem supporting a committee so she'd like to make a motion.

MOTION BY: Ms. deLeon moved to remove LST from all litigation involving the HAL and negotiate a long-term agreement with HAL and then she can support a committee.
SECOND BY: No second.
ROLL CALL: Motion fails

Ms. deLeon said she feels there's a lot of distrust out there with this Council with the library and until you show people you have good intentions; she doesn't think it's going to change.

Mr. Banonis said Priscilla mentioned the public disclosures were not happening. Were you referring to the RTK requests that were sent by individuals to HAL that they refused to turn over and are now in litigation over? Ms. deLeon said no she's not talking about that. At a public meeting at our Township Council meetings, when she asked to put the library update on the agenda there was silence – crickets and then the residents are sitting here wanting an update and they hear crickets. Don't look at her like that, look in the minutes. It hasn't happened and until the residents see some kind of action from this Council that there is support, she's not in favor of it, she is sorry.

Mr. Banonis said to be clear, during certain Council meetings, under your Council reports you have talked about your involvement and attendance at certain meetings so to say that this Council has not shared information, it's been shared by her because she was at those meetings. He wasn't there to share that information.

Ms. deLeon said she didn't start this fiasco if you recall. Okay. Mr. Carocci said...Ms. deLeon said she's talking now. You aren't going to put her on the committee anyway, what do you think. Mr. Banonis said he's going to make a motion.

MOTION BY: Mr. Banonis moved to form a committee for the exploration of library services for LST with the idea that those services be explored on two paths or more, one of those paths is a library created exclusively for LST residents and a library of the future, a digital library, as well as exploring the potential for a library authority and to have that committee report back to Council within 90 days and he would propose that the individuals who are members of that committee, be Linc, our Township Solicitor as he's been heavily involved in these issues and Manager, Mark Hudson, as he has been heavily involved in these issues, Cathy because she is our Director of Finance as there are financial implications to all of these things that we do, and Mark Inglis because he was heavily involved in the discussions with SLPL and himself.
SECOND BY: Mr. Carocci
ROLL CALL: 4-1 (Ms. deLeon – No)

6. MISCELLANEOUS BUSINESS ITEMS – None

7. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER – MARK HUDSON

- He said they did start the Pickleball Courts yesterday. Mr. Banonis said do we have an update on the proposed potential startup date for Easton Road which was to be September 18th? Mr. Kocher said that is the contract date and they sent the notice of award to CH&N Site Construction and they responded back that they are processing a bonds now and they are going to assign a Project Manager and they will give them the exact schedule. Mr. Banonis said please contact the local baseball organizations as they are trying to use the field for some fall ball if they can, but they recognize, at least his understanding is, that there is a

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project pending and they want to get the field constructed so they can potentially use it in the spring.

B.

➤ **COUNCIL**

Mr. Inglis – No report

Mrs. Yerger – No report

Ms. Banonis

➤ He said this is important. We are now coming up on budget season and this is the time when Council will look at the budget and make our planning for next year. He talked earlier about the \$2.6 million of revenue that we get from the landfill for the host fee and there's a potential that it goes away. He understands there's a lawsuit that's been filed in NC and the lawsuit is docketed at C-0048-CB2023-6089 and that lawsuit has been filed by four households in LST. That's four out of 4,035 households. The plaintiffs in that case are Bruce & Ginger Petrie at 2626 Redington Road in Hellertown; Andrew Krasnansky and Tina Louise Krasnansky at 2430 Applebutter Road in Bethlehem; Robert Blasko and Elizabeth Blasko at 2510 Redington Road in Hellertown; and Robert & Cindy McKellin at 2166 Kistler Avenue in Bethlehem and they are represented by Attorney Gary Neil Asteak with offices in Easton at 726 Walnut Street, Easton, PA 18042. His phone number is (610) 258-2901 and his email address is asteaklaw@gmail.com The concern he has and it would be the responsible thing for this Council to do is to recognize that the lawsuit is pending and if for some reason the lawsuit undoes the efforts that were made by this Council to guarantee financial certainty for the Township moving forward, that we need to be proactive and recognize that there may be a potential loss of income, so he would suggest that as we approach budget season that the individuals on this Council take a very close look at the budget and try to figure out where we can cut \$2.6 million from our roughly \$7.5 or \$8 million budget to deal with that potential loss of income if their lawsuit is somehow successful. He would also encourage people to talk to the Petries, the Krasnanskys, the Blaskos, the McKellins and Mr. Asteak for their views on where we should get alternate sources of revenue from to offset the efforts and the burdens that are going to be potentially placed on LST residents to the point that he made earlier, a \$3,500 increase in taxes, at least. That's his two cents looking forward to see what we have to do to stay proactive in the management of the Township affairs. Mr. Inglis said can you say too that using savings to run a business is not a viable business model. We have some money in the bank now yes, but that's all going to be used up. So to sit there and say we have savings and we can last a couple of years is not a future business plan. Just so everybody knows that. You are doomed for failure then. Mr. Banonis said that's a pretty good point.

Ms. deLeon

➤ She said a few years ago we had Cathy develop a plan in the budget to pay off all our debts so we were debt free in preparation for when or if the landfill closed and then we would put the landfill host money away so that has been happening. She doesn't know the current life of the existing current landfill and she thinks they have a couple of years and that doesn't include the Northern Realignment, which might be five years. Maryanne is sitting in the back of the room, and maybe she would be nice enough to tell us what the life span is. She's just sitting there looking at Ms. deLeon. Mr. Carocci said you are the one promising voters it's only three years in the 1990's. Ms. deLeon said she is not done yet; you are so rude. Since there is a resolution that takes away her right to put something on the agenda, as she needs a second Council person, she'd like to ask Council tonight for two agenda items for the next meeting. First of all, the one being to talk to PSATS and LVPC to offer training sessions for our Board meetings, like the Planning Commission (PC), the EAC, Parks & Rec. We appoint people on these boards, and a lot of them have never been on a board before and they really don't have the protocol down pat or what you do on a public entity like that. Does she have a second person that would support that being an agenda item? Mr. Carocci said he won't support LVPC but he will PSATS. Ms. deLeon said okay then it will be PSATS, would he support that? Mr. Banonis said that's a pretty general statement, he'd like to see more information about what she is proposing and who needs educating. We have some

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highly qualified people on each of our committees and to that point, there's a professional engineer who is on the LSA, there are people with other expertises on various committees, so he's not sure where there's a deficiency but if she could identify those deficiencies and make recommendations to them and also provide them with examples of what would be proposed as the curriculum for these people as well as the potential cost to the Township, but he can't just blanket agree to that kind of statement without knowing more. Mr. Carocci said he agrees; you need to do your homework. Ms. deLeon said to do the homework would be an agenda item for discussion. Ms. deLeon said why aren't we putting all meetings on You Tube? Why isn't the PC, the EAC, the Zoning Hearing Board, the Parks & Rec., all the meeting we have, why aren't they all put on You Tube. Mr. Banonis said as he recalled they approved the You Tube streaming it was in response to the requests during COVID and we were waiting for the state to clarify whether or not we are legally permitted to have meetings broadcasted and those are committee meetings and they are very discreet in their nature. If people want to participate in those meetings, they can go to those meetings. They occur fairly and infrequently and the topic that are there are well known. He doesn't see a need for it. There's a cost and expense for purchasing the system and some of those committees do not meet in the room which has the video stream for example, the Parks & Rec. meetings at various parks because they want to see what is going on in those parks first hand. Ms. deLeon said the meetings that do occur in our meeting rooms, does she have someone in support to put it on the next agenda?

- MOTION BY:** Ms. deLeon moved to put on the next agenda an item regarding streaming the other committees of the Township, i.e., EAC, Parks & Rec., P/C and the ZHB.
- SECOND BY:** No second.
- ROLL CALL:** Motion fails

Ms. deLeon said thank you for your support.

Mr. Carocci:

- He said pool reimbursements 93 for a total of \$5,615.00. 81 Hellertown Pool and 12 Southern Lehigh Pool. Pools are open until Labor Day. He's not sure about Hellertown keeping it open, because they have problems keeping it open sometimes but they are doing their best he guesses, the Borough. Southern Lehigh is definitely open through Labor Day. He hopes our residents are using the pools.
- In talking about the lawsuit by these 8 residents, we have close to 12,000 residents but now we have 8 residents are trying to sue the Township from trying to have the benefit of \$70 to \$80 million over 18 years extension of the host municipal expansion agreement. These selfish residents, 8 out of 12,000 trying to ruin \$70 to \$80 million that this Township can use for parks, paved roads, for our police, for our fire services. Fire trucks are costing over \$1 million. The Township needs that money and these are 8 selfish residents.

- B. SOLICITOR** – No report
C. ENGINEER – No report

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

- Russ Sutton – no response.
- Maia Simon – no response.
- Bob Blasko – no response.
- Cindy McKellin said she attended the PC meeting last Thursday and to Priscilla's point it appeared that the committee members were not knowledgeable about some of the terminology that was used in documents they were reviewing, specifically like conditional use, special exception and permitted use. She does not have the confidence of the recommendations they made because they were very puzzled and she could see the looks on their faces and they relied heavily on influence by Tom and Linc. She understands these committee members are lay people who are volunteers for these committees but it's incumbent on the Township to provide

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appropriate education so that the committee members can intelligently fulfill their obligation to the residents of the Township.

- Bob McKellin – Passed.
- Stacie Mischenski – no response.
- Frank Palumbo – no response.
- Ruth Harold – no response.

Mr. Banonis said he thinks this concludes the non-agenda item interested speakers. We've been here for seven hours; he thinks it validates the fact that we started at 9:00 a.m. as opposed to 6:30 p.m. because otherwise we'd be ending at 2:00 a.m.

9. ADJOURNMENT

MOTION BY: Mr. Banonis moved for adjournment. The time was 3:46 p.m.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

10. UPCOMING MEETINGS

- A. Parks and Recreation Board: September 11, 2023
- B. Environmental Advisory Council: September 12, 2023
- C. Council Meeting: September 20, 2023
- D. Zoning Hearing Board: September 25, 2023
- E. Planning Commission: September 28, 2023
- F. Landfill Committee Meeting: October 19, 2023 @ 1:00 p.m.
- G. Saucon Rail Trail Oversight Commission: September 25, 2023 at Hellertown Borough

Submitted by:

Mark L. Hudson
Township Manager

Jason Banonis
Council President

Manager

From:
Sent: Tuesday, August 29, 2023 12:59 PM
To: Manager
Cc: Priscilla deLeon
Subject: HAL

I cannot attend the meeting on August 30 but I ask that my email be read into the record.

I want to use HAL only and I want LST to fund HAL IN FULL. The HAL is a wonderful asset for our community and Lower Saucon residents should be able to use all the programs and features they offer.

Thank you!

Alice Karpa

Manager

From: Danae Oliveri
Sent: Tuesday, August 29, 2023 12:22 PM
To: Manager
Cc: Priscilla deLeon
Subject: Please Ream Email Into Record 8/30/23

To whom it may concern,

As a resident I would like it to be understood that I would like our support and tax dollars to go to the Hellertown Area Library. We as a family have used HAL to meet other local families and participate in the community where our child now attends elementary school. It has been a godsend to us and I would like to be able to continue to patronize HAL for years to come.

Thanks for considering my opinion and have a good day!

Sent from my iPhone

Manager

From: Susan Plessor
Sent: Tuesday, August 29, 2023 8:39 AM
To: Manager
Subject: HAL Library situation

As a long time resident of Lower Saucony Township, my family and I respectfully request our association with HAL remain intact. DO THE RIGHT THING!!!!!!!

Susan Plessor

Manager

From: Blue Barnyard
Sent: Tuesday, August 29, 2023 10:28 AM
To: Manager
Cc: Priscilla deLeon (home)
Subject: Library committee

I would like this email read into public record.

I am writing due to this very important issue being discussed at a public meeting being held during a typical work day versus at our regularly scheduled Lower Saucon Township meetings in the evening.

I am one of many voices requesting that LST renegotiate the agreement with HAL for FULL services and regular funding. The library is within walking distance from ALL our schools. Recently when we were without power due to a storm, our internet was also out. As a family, we were able to use the internet at HAL to complete vital tasks for grad school and downloaded books and music onto devices to have access at home without internet services.

There are members of the Lower Saucon Township council that continue to ignore the requests of their constituents. The majority of folks who have chosen to write, speak or fundraise for the library are in support of a fully funded Hellertown Area Library via an agreement with LST for such.

Why does this continue to fall on deaf and unwilling ears?
Jessica King

Manager

From: Kathy Fenstermacher
Sent: Tuesday, August 29, 2023 10:41 AM
To: Manager
Cc: Priscilla deLeon
Subject: Lower Saucon Township residents need for a home library

Dear Manager Mr. Hudson,

I'm unable to attend the meeting on Wednesday but would like to be included in comments that I have an interest in my tax dollars going to the Hellertown Area Library rather than some solicitors paycheck or another library. I would like to see the issues be resolved so we can move on and be completely joined back with our full community. Lower Saucon Township residents are connected to Northampton County and the Saucon Valley School District and the most convenient library is the Hellertown Area Library. Please work out the details to fully bring us back. It's time the council members listen to the constituents.

Thank you,

Kathy Fenstermacher and family members all named below

Bethlehem PA 18015

----- Forwarded message -----

From: Kathy Fenstermacher
Date: Mon, Jun 19, 2023, 9:36 PM
Subject: Re: Southern Lehigh Library versus Lower Saucon Township residents
To: Kathie Parsons <kparsons@solehipl.org>
Cc: <manager@lowersaucontownship.org>

Hello Dear Ms Parsons,

I've never had an interest in the political arena before this debacle with the library. It's Unbelievable to me that Upper Saucon Township is pushing Southern Lehigh Public Library to work out a deal with Lower Saucon Township when virtually no one in the LST wants this to take place. When is someone going to start listening to the constituents of these communities? I'd like to encourage you, in any way possible, to reject any suggestion by Upper Saucon Township to partner with Lower Saucon.

I don't want my tax money going outside of this community and I consider Hellertown Area Library to be my community because the Saucon Valley School District is what my children have been in and my grandchildren will be in it soon

I'm sorry for the place that you find yourself being in just want to make you aware of another Lower Saucon Township persons displeasure with this entire idea.

Sincerely,

Cathy Gorman

From: Manager
Sent: Wednesday, August 30, 2023 7:23 AM
To: Cathy Gorman
Subject: FW: Meeting 8/30 (Library request)

Please print

From: Michelle Lanning
Sent: Tuesday, August 29, 2023 8:34 PM
To: Manager <manager@lowersaucontownship.org>
Cc: Priscilla deLeon <pdeleon@lowersaucontownship.org>
Subject: Meeting 8/30 (Library request)

Please read this email aloud at the LST meeting public comment time of the meeting.

I am requesting as a Lower Saucon Twp. resident to make my preference to use only the Hellertown Area Library as my family, friends, and neighbor's home library. I have advocated for this library as our home library for years. This library makes the most sense financially, geographically, and logistically. They have amazing programs for people of all ages. The students of Saucon Valley use this library regularly for a meeting space, research, tutoring/learning, and fun/summer activities.

Our community wants to use Hellertown Area Library as our home/exclusive library. We want new books, we want children's programming, we want computer access, we want cloud library, we want inter library loans, we want access, we want the blessing shelf, and a safe space for our community members to meet, play, and learn.

Michelle Lanning

Cathy Gorman

From: Manager
Sent: Wednesday, August 30, 2023 7:22 AM
To: Cathy Gorman
Subject: FW: 8/30 mtg - RE: Library services

Please print

From: Meghan Lomangino
Sent: Tuesday, August 29, 2023 11:33 PM
To: Manager <manager@lowersaucontownship.org>
Cc: Priscilla deLeon <pdeleon@lowersaucontownship.org>
Subject: 8/30 mtg - RE: Library services

I am writing to have this email read into the minutes.

I am once again letting you know that our household loves and appreciates the Hellertown Area Library. We love that it's walking distance to the school and Dimmick Park. We love that it's a 4 minute drive from our home. We love that we can see other community friends there. We love the children's programs available to us.

I do not want to partner with another area library. I do not want to have a committee put together to do more research. (For whatever it's worth I don't want a pickle ball court; I just want a fully funded library!) I want our township council to stop wasting our time and our funds discussing this and FULLY FUND OUR HELLERTOWN AREA LIBRARY.

It is shameful that despite neighbors speaking favorably and voicing their support for HAL for more than 18 months, the elected officials continue to openly ignore and disrespect the constituents they represent.

- Meghan Lomangino
Lower Saucon Township Resident

Cathy Gorman

From: Manager
Sent: Tuesday, August 29, 2023 8:17 PM
To: Cathy Gorman
Subject: FW: Support of Hellertown Area Library

Please print both the library emails and bring them to the meeting.

From: Kate Walsh
Sent: Tuesday, August 29, 2023 8:15 PM
To: Manager <manager@lowersaucontownship.org>; Priscilla deLeon <pdeleon@lowersaucontownship.org>
Subject: Support of Hellertown Area Library

I am writing in support of having complete access to the Hellertown Area Library. I do not want to go to or put tax money towards any other library than Hellertown Area Library.

Thank you,
Katherine Walsh and family

Cathy Gorman

From: Manager
Sent: Tuesday, August 29, 2023 8:12 PM
To: Linc Treadwell Cathy Gorman
Subject: FW: Hellertown Area Library

Cathy can you please print this, thanks.

From: Megan E
Sent: Tuesday, August 29, 2023 6:37 PM
To: Manager <manager@lowersaucontownship.org>; Priscilla deLeon <pdeleon@lowersaucontownship.org>
Subject: Hellertown Area Library

Good evening,

My name is Megan Eisenbraun. I live at 2027 Hilltop Rd. I cannot be in attendance tomorrow for the LS meeting, but if the following can please be read aloud and put on record:

As a resident of Lower Saucon Township, I, Megan Eisenbraun, ask that Lower Saucon Township fully fund the Hellertown Area Library.

Thank you,
Megan Eisenbraun

LOWER SAUCON TOWNSHIP COUNCIL

* * * * *

IN RE: ORDINANCE NUMBER 202305

* * * * *

BEFORE: JASON BANONIS, Chair

Mark Inglis, Vice President

Priscilla deLeon, Member

Thomas Carocci, Member

Sandra Yerger, Member

HEARING: Wednesday, August 30, 2023

11:03 a.m.

LOCATION: 3621 Old Philadelphia Pike

Bethlehem, PA 18015

WITNESSES: Russell Sutton, Maia Simon, Sal Gagliano,
Nancy Gorczynski, Dru Germanoski, Andrea Wittchen,
Lynn Hill, Cindy McKellin, Bob McKellin, Frank
Palumbo, Sue Lucrezi, Victoria Opthof-Cordaro, Michael
Ciccarello, Claudia Markellos, Bob Lasko, Cesar
Medina, Ginger Petrie, Evan Needham, Rich Weikert

Reporter: Ian Dale Weeber

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B. LINCOLN TREADWELL, ESQUIRE

Treadwell Law Offices, PC

915 West Broad Street

Bethlehem, PA 18018-5064

Counsel for Lower Saucon Township Council

MARYANNE GARBER, ESQUIRE

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50 South 16th Street

Suite 3200

Philadelphia, PA 19102

Counsel for Bethlehem Landfill

ALSO PRESENT:

BRIEN KOCHER

JOHN GALLAGHER

CATHERINE SNYDER

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NONE OFFERED

P R O C E E D I N G S

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CHAIR:

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All right.

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6

7

I'm going to make a motion to resume the August 30th Lower Saucon Council meeting. Do I have a second?

8

MR. INGLIS:

9

Second.

10

CHAIR:

11

Mark, roll.

12

MR. HUDSON:

13

Mr. Carocci?

14

MR. CAROCCI:

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Yes.

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MR. HUDSON:

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Ms. DeLeon?

18

MS. DELEON:

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Yes.

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MR. HUDSON:

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Mr. Inglis?

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MR. INGLIS:

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Yes.

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MR. HUDSON:

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Ms. Yerger?

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MS. YERGER:

Yes.

MR. HUDSON:

Mr. Banonis?

CHAIR:

Yes.

MR. HUDSON:

Motion passes.

CHAIR:

All right.

Next up on the agenda, our presentation series Ordinances and Resolutions. We have this public hearing for Ordinance 2023-05. The proposed Ordinance would revise and amend the Code of Lower Saucon Township by amending Chapter 180 zoning to revise the zoning map designation of approximately 275.7 acres of land consisting of seven Northampton County tax map parcels from a rural agricultural RA zoning designation to a light industrial LI zoning designation in the area of the Township north of Applebutter Road, east of Steel City, south of the Lehigh River, and west of the Route 33 and Route 78 interchange --- intersection.

The proposed Ordinance would also amend certain text provisions to allow landfills and waste

1 disposal facilities as permitted use in the LI
2 district, move site plan requirements for uses that
3 require land development DEP approval, Environmental
4 of Natural Resources Mitigation Alternative.

5 I will make a motion to open the
6 hearing.

7 MS. YERGER:

8 I'll second it.

9 CHAIR:

10 For Ordinance 2023-05.

11 MS. YERGER:

12 I'll second that.

13 CHAIR:

14 Thank you, Sandy.

15 MR. HUDSON:

16 Mr. DeLeon, how do you vote?

17 MS. DELEON:

18 Yes.

19 MR. HUDSON:

20 Mr. Inglis?

21 MR. INGLIS:

22 Yes.

23 MR. HUDSON:

24 Ms. Yerger?

25 MS. YERGER:

1 Yes.

2 MR. HUDSON:

3 Mr. Banonis?

4 CHAIR:

5 Yes.

6 MR. HUDSON:

7 Mr. Carocci?

8 MR. CAROCCI:

9 Yes.

10 MR. HUDSON:

11 Motion passes.

12 CHAIR:

13 All right.

14 Linc, could you start? Actually, let me
15 do this first. Let me read the records so that
16 everyone understands the requirements for the public
17 hearing. So this is Lower Saucon Township Resolution
18 75-2022. This is a resolution of the Council of Lower
19 Saucon Township adopting procedures for legislative
20 public hearings whereas Lower Saucon Township is a
21 township of the second class, optional plan of
22 government located in Northampton County, Pennsylvania
23 and is governed by an elected council. Whereas the
24 Council of Lower Saucon Township is authorized to
25 promulgate rules and regulations for legislative

1 public hearings to be conducted by Council.

2 Whereas the Lower Saucon Township
3 Council is authorized to establish level of civility
4 and promote an atmosphere of reasons, expression of
5 ideas, and promulgating rules and regulations for its
6 public hearings. Whereas the Council recognizes that
7 public participation in the public hearing process is
8 intended to afford citizens an opportunity to comment
9 on the important matters being considered by the Lower
10 Saucon Township Council. Whereas the Council is a
11 strong advocate for free speech in which expression of
12 ideas. Now, therefore, be it resolved that the
13 Council of Lower South Counts have established the
14 following rules and regulations regarding legislative
15 public hearings and conduct.

16 Number one, these procedures are
17 intended to maintain proper decorum for the hearing
18 participation, respect for all citizens, and to
19 maintain order. Number two, each procedure for
20 legislative public hearing shall be posted on the
21 Lower Saucon Township website. Number three, signs
22 will be posted at the meeting location advising people
23 attending the meeting of the hearing procedures.
24 Number four, legislative public hearings are designed
25 to allow residents and taxpayers on Lower Saucon

1 Council to express comments regarding the subject
2 matter of the public hearing. Legislative public
3 hearings are not quasi-judicial public hearings, and
4 these rules apply to additional public hearings such
5 as Zoning Hearing Board or conditional use hearings
6 shall be conducted according to the laws applicable in
7 those instances.

8 Response --- number five. Responses to
9 public comment, testimony, or questions will not be
10 provided during the hearing other than to clarify
11 facts related to the subject matter. Public hearings
12 of this nature are a one way conversation. Number
13 six, the Township Manager in his/her sole discretion
14 is authorized to request police presence at the public
15 hearing. Number seven, no attendee shall obstruct in
16 any way the entrances or exits to the hearing room.
17 Number eight, a sign in sheet will be used for order
18 of public comment testimony. Number nine, public
19 participation in comment testimony shall occur after
20 the subject matter of the hearing has been discussed
21 by Council.

22 Number Ten, individuals desiring to
23 speak must be sworn in under oath by the court
24 stenographer. The oath will take place as a group at
25 the beginning of the hearing using assignment sheet.

1 Individuals who speak must give their name prior to
2 speaking and acknowledge that they took the oath.
3 Individuals who arrive later will be required to take
4 the oath prior to speaking. Number 11, individuals
5 desiring to testify shall announce their name and
6 municipality of residents prior to testifying. Number
7 12, comment testimony may be made only by a person
8 who's been recognized by the Council President.
9 Number 13, comment testimony will be limited to no
10 more than three minutes person. Number 14, the
11 Council President or Acting Council President shall,
12 in his or her soul discretion, be committed to expand
13 the individual comment period for no more than two
14 minutes upon request from the individual. Thereafter,
15 additional time may be allowed only upon motion
16 approved by a majority of Council.

17 Number 15, groups of people attending
18 the meeting because of the same subject matter may
19 designate one of the members to speak for the group.
20 Number 16, no speaker will be allowed to surrender his
21 or her time to any other person or to call upon other
22 persons for comment testimony. Number 17, the
23 resident or taxpayer shall testify from the lectern or
24 other designated space unless the resident or taxpayer
25 is disabled and or unable to stand. Number 18, all

1 public comment testimony will be addressed to Township
2 Council. Number 19, members of the audience may not
3 address other members of the audience or argue, or to
4 argue, speak or yell back and forth at or to each
5 other.

6 Number 20, in order to facilitate the
7 orderly conduct of the hearing, there shall be no foul
8 or vulgar language used or gestures made during the
9 hearing. Number 21, comment testimony should be
10 substantive and not include any defamatory comment and
11 or personal tax on the integrity of others, whether or
12 not present. Number 22, letters may be read --- read
13 during public comment testimony subject to the
14 allotted three minutes time limit for individual
15 testimony. No extension shall be granted for
16 residents or taxpayers reading a letter during
17 testimony. Any letter cited or read may be submitted
18 to the Township Manager. Number 23, copies of any
19 documents and or materials reviewed or discussed
20 during testimony shall be marked, made available to
21 Council and placed into the record. Number 24, at all
22 times, each person shall respect the point of view of
23 others. No comments disagreeing with another's point
24 of view shall involve a personal attack on the
25 character of others with a different viewpoint.

1 Number 25, any conduct disruptive of the
2 hearing and interfering with the business of the
3 hearing, such as talking when recognized by the
4 Council President or Acting Council President, talking
5 beyond the allotted time and or the use of cell phones
6 shall not be tolerated. Number 26, the Council
7 President or Acting Council President will rule out of
8 order any speaker or comment which is defamatory,
9 contentious, scandalous, impertinent, redundant or
10 disruptive to the proceedings of the meeting. Number
11 27, the conduct and order of the hearing is no longer
12 maintained. The Council President or Acting Council
13 President may recess the hearing to restore order so
14 the business of the hearing may be conducted when the
15 hearing resumes. Number 28, public comment will have
16 no personal attacks of any nature directed toward or
17 against any applicant, responding council person,
18 employees of Lower South Township, members of the
19 audience or any other persons. Number 29, legislative
20 public hearings will conclude at 10:00 p.m. unless the
21 majority of Council votes to extend the time deadline.
22 To the extent possible, any necessary continuation
23 will be discussed at the hearing.

24 This resolution shall replace the
25 hearing procedures established by Council --- Township

1 Council on August 21, 2013, resolved by the council of
2 Lower Saucon Township the 16th day of November, 2022.
3 Attest, Mark Hudson, Township Manager of Lower Saucon
4 Township, Jason Banonis, Council President.

5 All right. Linc, do you want to add
6 anything as we begin hearing?

7 ATTORNEY TREADWELL:

8 Sure. I got to hold it the whole time.
9 I get it, I get it. As Mr. Banonis said, this is a
10 public hearing on Proposed Ordinance 2023-05. After I
11 explain, I think the procedures, I will --- I will go
12 through and explain what the Ordinance, the substance
13 of the Ordinance is about. We will then take any
14 comments or questions from council members, and then
15 we will open it up to the floor to the public to
16 comment only on Ordinance 2023-05, not --- not the
17 library or any other subjects that are on the agenda.
18 However, if you did comment during the public comment
19 period on Ordinance 2023-05 and you wish to comment
20 again, you may do so.

21 So, moving on to the Ordinance. This
22 Ordinance was at the direction of Council. Proposed
23 Ordinance at the direction of council was sent to the
24 Lehigh Valley Planning Commission, to the Lower Saucon
25 Township Planning Commission, and to the Lower Saucon

1 Township Environmental Advisory Council for comments.
2 Comments were received from all three of those
3 organizations and will be part of the record of this
4 public hearing.

5 Direct notice was also sent to the
6 owners of all properties in the --- that, all
7 properties that are proposed to be rezoned by this
8 Ordinance. An affidavit was prepared by the
9 administration reflecting that, and that will be part
10 of the record.

11 Notice of this public hearing was posted
12 in accordance with Pennsylvania Municipalities
13 Planning Code procedures. There are pictures of the
14 postings. There is a map of the postings. There is
15 an affidavit, and I believe, Mark, Mr. Hudson, the
16 postings were actually checked a couple different
17 times after they were posted to make sure they were
18 still up.

19 Is that correct?

20 MR. HUDSON:

21 Correct.

22 ATTORNEY TREADWELL:

23 Okay.

24 This public hearing was advertised in
25 accordance with the Municipality's Planning Code and

1 proofs of publication of the advertisement. Yes, the
2 Ordinance was advertised in its entirety in the
3 newspaper and proofs of publications will be added to
4 the record as well. And notice of the proposed
5 adoption and enactment of this Ordinance was
6 advertised in accordance with the Pennsylvania
7 Municipality's Planning Code procedures and proofs of
8 publication of that notice will be made part of the
9 record as well.

10 Up --- I need to hold this thing now.
11 UP on the screen is a map that shows the seven parcels
12 that this Ordinance proposes to rezone. The proposed
13 rezoning would change the zoning designation of those
14 parcels from the rural agricultural zoning designation
15 to a light industrial zoning designation. Ordinance
16 2023-05 is somewhat similar to the prior Ordinance
17 that Council have adopted last year, which was
18 Ordinance 2022-02. The map is the same. The proposed
19 parcels to be rezoned are the same. However, there
20 are some differences in the text between the two. So
21 I'm going to go through. We're going to make the
22 proposed Ordinance part of the record of this public
23 hearing as well. I'm going to go through and hit what
24 I would call the major substantive provisions of the
25 Ordinance. If anybody on Council wants me to read the

1 entire thing into the record, I could certainly do
2 that as well. But I'll start with the major changes
3 and we'll take it from there.

4 So on page one, in section one of the
5 Ordinance is the actual map change. This is the
6 section that would change those seven parcels from the
7 rural agricultural zoning designation to the light
8 industrial zoning designation. The approximate area
9 of land involved with those seven parcels is 275.7
10 acres. It's identified as being located in the
11 northern geographical area of the township in the
12 vicinity of the Bethlehem Landfill located at 2335
13 Applebutter Road. To the north of Applebutter Road as
14 you can see on the map, east and southeast of the
15 village known as Steel City, south of the Lehigh River
16 and west and southwest of Redington Road.

17 So in the event this Ordinance is
18 adopted by Council, Section 1 directs the township
19 manager to prepare a new zoning map reflecting those
20 changes. Section 2 of the Ordinance is the section
21 that changes the designation of landfills and waste
22 disposal facilities from a special exception use,
23 which is currently in your zoning ordinance, to a
24 permitted use within the LI zoning district.

25 The prior Ordinance 2022, which --- -02,

1 which I said was similar, would have changed the
2 designation from special exception to a conditional
3 use. Part of the rationale for making this a
4 permitted use in Ordinance 2023-05 is that the
5 existing special exceptional provisions of the zoning
6 ordinance do not have any specific or general
7 standards. And that a lot of the environmental issues
8 that we've heard about today and --- and for the last
9 couple of months are covered in the DEP application
10 and approval process, which covers potential
11 environmental harms of the landfill use and also
12 contains an extensive harms benefit analysis procedure
13 that is conducted by DEP.

14 Section 3 of the zoning ordinance just
15 takes landfills and waste disposals out of the special
16 exception use section. So that's similar to what I
17 just talked about. The next section, Section 4,
18 changes the --- hold on for a second. This is the
19 section that removes the site plan requirement because
20 there is a land development requirement that a
21 landfill would need to go through the land development
22 process before any approval is given by Township
23 Council. Section 5 adds the, what I've referred to
24 before --- well, Section 5 is the, more of the removal
25 of the requirement that a landfill or waste facility

1 get a site plan approval.

2 Section 6 as the natural resource
3 mitigation alternative, which I described before as
4 somewhat similar to the Army Corps of Engineers when
5 they do wetlands permits that in that process you can
6 disturb certain wetlands as long as they are replaced
7 somewhere else. This natural resource mitigation
8 alternative would allow an applicant proposing to
9 develop an industrial use within the LI zoning
10 District to disturb natural resources provided they
11 are replaced elsewhere in the Township. If they are
12 not able to be replaced with similar land elsewhere in
13 the Township, it also provides the ability for the
14 Township to accept a fee in lieu of the land
15 elsewhere.

16 Those are the significant provisions of
17 Ordinance 2023-05. As I said before, the map is up on
18 the screen showing the designated parcels. I think we
19 can take any questions from Council now before we open
20 it up to the public.

21 CHAIR:

22 I think the only question that I have at
23 this point, I'll have more later, I'm sure. And I
24 recognize that this was not necessarily part of the
25 hearing, but during the regular part of today's

1 Township Council meeting there were comments that were
2 made by people that, you know, questioning the notice
3 of this. Just to be sure, notice was properly given,
4 published on the Township website. And I believe that
5 that was accomplished last week, which would have been
6 on or before August 25, 2023.

7 Correct?

8 ATTORNEY TREADWELL:

9 Well, notice of this public hearing was
10 --- was published in the newspaper. I think the first
11 publication date, Mark, was August 14th. Does that
12 sound right? Mark Hudson?

13 MR. HUDSON:

14 I believe it was the 10th.

15 ATTORNEY TREADWELL:

16 August 10th? Okay. Yeah, I didn't
17 remember the date. So it was, this public hearing has
18 been --- I think this council set --- set this meeting
19 up at the last meeting in July

20 CHAIR:

21 I just want to, maybe I should rephrase
22 my question. Is the Township fully compliant with
23 Pennsylvania law with regard to the notice that was
24 provided for this hearing?

25 ATTORNEY TREADWELL:

1 Yes.

2 CHAIR:

3 Okay. That's all I have. Thank you.

4 ATTORNEY TREADWELL:

5 Any other council questions? Yes.

6 CHAIR:

7 Priscilla.

8 MS. DELEON:

9 Yes. Wait, it's a little too loud.

10 Yeah, thank you. I'm not in favor of supporting this
11 proposed Ordinance to amend certain text provisions to
12 allow landfills and waste disposal facilities as a
13 permitted use in the LI district, remove site plan
14 requirements for uses that require land development
15 and DEP approval and provide a natural resource
16 mitigation alternative. This is a devastation ---
17 devastating abuse of land entrusted to Council by the
18 voters.

19 To start, I would like to incorporate
20 into the record all the testimony and evidence
21 received by this Council at the prior hearing on
22 December 21st, 2022 about these parcels, same parcels,
23 and easements affected by this proposed Ordinance.
24 And a question for Linc. In previous --- in the
25 beginning of this meeting, a lot of residents were

1 here and left and commented because they probably
2 didn't understand the process. So can we incorporate
3 all landfill comments from this morning into today's
4 hearing? I'm asking Linc, not you, Tom.

5 CHAIR:

6 I understand, but I'm going to ask a
7 question as well. Linc, this hearing that we're
8 having today is de novo. Essentially any prior
9 hearings on any rezoning was different than what is
10 before us now. Correct?

11 ATTORNEY TREADWELL:

12 It's --- this Ordinance is a different
13 Ordinance. It's got a different Ordinance number,
14 it's got different provisions. As far --- as far as
15 the comments that people made earlier, they are a part
16 of the record of this meeting. But in order to be
17 part of the public hearing, they have to speak during
18 the public hearing.

19 MS. DELEON:

20 Okay, thank you. I just wanted it on
21 the record comments and the question answered. So I
22 also would like to enter into the record official ---
23 the official comprehensive recreation and open space
24 plan for the Saucon region, Upper Saucon Township,
25 Lehigh County and Lower Saucon Township, Northampton

1 County in its entirety. The official comprehensive
2 rec and open space plan of the Saucon region, Upper
3 Saucon Township, Lehigh County and Lower Saucon
4 Township, and the natural resource inventory that was
5 adopted in its entirety. The multi comprehensive plan
6 in its entirety. I'd like that being entered into the
7 record.

8 I also would like to speak a little bit
9 about the review letter from the Lehigh Valley
10 Planning Commission. They have a summary from their
11 meeting, I forget the date of the meeting, at the end
12 of July. And the Lehigh Valley Planning Commission
13 comment was the text amendments did not align with the
14 intent of future LV, the regional plan to protect the
15 health, safety, and welfare of the public, policy
16 three --- 3.2. And the natural resources mitigation
17 alternative does not protect high priority natural
18 lands of Policy 3.1.

19 The proposal to rezone the northernmost
20 parcels of the LI district does not align with future
21 land use plan of the future LV. Overall, the proposed
22 zoning ordinance and zoning map amendments do not
23 align with the goals outlined in the Township's
24 recently adopted comp plan or the intent, purpose, and
25 scope of the township zoning Ordinance. So that was

1 from Lehigh Valley Planning Commission.

2 Their letter, which was dated August
3 3rd, really reviews a lot of things. And I'd like
4 that incorporated into the record also that I concur
5 with their assessment of the Ordinance. And that it's
6 ruining --- you know, I'd like to read the whole thing
7 into the record, my comments, and maybe I will do that
8 in a little bit after I hear from the other residents.
9 But for now then I'm going to go on to --- and these
10 questions are appropriate of --- I'm going to ask the
11 following questions.

12 They're appropriate because they are
13 germane to whether rezoning this property is in the
14 health, safety, and welfare of all the township
15 residents. Relevant because we are considering
16 rezoning from the least impactful zoning district to a
17 light industrial district for landfill, which, as the
18 LVPC has pointed out, is high intensity land use,
19 among other things. I am asking for information and
20 data that is missing to me that I haven't seen to
21 justify why this rezoning is necessary. I would
22 appreciate if someone can answer my questions.

23 What study have --- studies have you
24 done to value the economic benefits of the 275
25 forested acres? And what I'm going to do is I'm going

1 to read this list, and if anybody has answer to any of
2 my questions, just raise their hand. I'd like to hear
3 their answer.

4 The next one I have is, have you
5 reviewed the 2014 LVPC return on environment study?
6 Have you done home value studies? Have you requested
7 an appraiser to give an opinion about home values on
8 the surrounding area if this expansion occurs? Have
9 you requested an appraiser to give an opinion about
10 home values in Steel City, Redington, Applebutter
11 Road, Sherry Hill Road, or the other surrounding
12 areas?

13 Economic study to determine land value
14 with or without a forest. Economic study to determine
15 impact of tax base if properties are devalued from
16 landfill expansion. Economic study to determine
17 attractiveness of township with or without the forest.
18 Economic study to determine attractiveness of township
19 with or without the landfill. Economic study to
20 determine difference in home values with or without
21 the landfill. What topographical --- what topography
22 studies have you done to assess the ridgeline into the
23 Bull Run Creek? What ground study have you done to
24 assess the track of groundwater on this property?

25 What study have you done to assess the

1 wildlife living on this property? Have you consulted
2 with the US. Fish and Wildlife Service to do an
3 inventory of endangered species? Have you
4 investigated whether there are endangered species
5 living on this land? Where is your inventory of
6 wildlife?

7 So far I'm hearing nothing. Is anybody
8 else hearing anything?

9 Have you consulted with PA Fish and Game
10 Commission on displacement of wild animals? How many
11 deer live on this property? How many will be
12 displaced? How many bears live on this property? How
13 many bears will be displaced? What birds live in the
14 trees on this property? Have you ruled out birds from
15 protected species? What --- what study have you done
16 in the Redington Cave? What wildlife lives in the
17 cave? What studies have you done on the Bull Run
18 Creek? What plant life live there? Have you
19 investigated whether the plant life is protected?
20 Have you investigated the flow rate of water into the
21 Lehigh River?

22 Have you investigated the areas in the
23 groundwater from the slopes entering the Bull Run
24 Creek? Have you tested the groundwater on this
25 property to determine its quality? If so, when and

1 where and what location within the creek? Have you
2 done air studies to determine the quality of the air?
3 Have you studied the wind flow in the area and along
4 the ridge of the Bull Run? As you know, we're getting
5 a lot of odor complaints and that all has a big, big
6 factor into all of this.

7 As you drive Applebutter Road and
8 Redington Road, you travel a hill. Have you done
9 studies at the different points on the hill to verify
10 what wind direction is at any given point? These are
11 all baseline studies that should be done. Have you
12 done wind studies to determine if wind blows towards
13 Steel City? Have you done studies to determine if
14 wind blows towards Ringhoffer Road? Have you done
15 studies if wind blows towards Sherry Hill Road? Have
16 you done wind studies to determine if the wind blows
17 on Upper Redington Road?

18 Traffic. Have you done a traffic study
19 on Applebutter Road? What is the number of trucks
20 that travel Applebutter Road? This study is important
21 for the rezoning because it will determine whether
22 adding any additional LI districts, these doesn't
23 include --- this is more than just landfills, to lower
24 --- to Lower Saucon will stress the road
25 infrastructure in place. What about the traffic that

1 currently travels Ringhoffer? And like I said, this
2 isn't limited. The zoning --- rezoning isn't limited
3 to just landfills. There's other heavy industrial
4 uses. Did you study the trucks on Ringhoffer? Did
5 you study the trucks on Island Park Road entering
6 Lower Saucon Road into the Township?

7 What about the dirt and dust coming off
8 these trucks? Have you done safety studies of these
9 roads to see if heavy trucks are able to traverse the
10 winding areas of Applebutter and Lower Saucon roads?
11 Have you included the crash reports on Applebutter
12 Road or the surrounding roads? How many crashes were
13 they? What types of vehicles crashed? This is
14 important because our police, which we pay taxes for
15 --- sorry, that didn't register. Who are here today
16 paying their wages, no disrespect, because you need to
17 get paid. But you know, this is important, because
18 our police, which we pay taxes for, have to respond to
19 these accidents.

20 These accidents close roads which are
21 detour --- which detour residents --- residential
22 traffic to their homes. How often has the fire
23 department responded to Applebutter Road? How often
24 was the road closed?

25 This is wear and tear on our state

1 roads, which require constant PennDOT maintenance that
2 we pay taxes for. We have all heard about how PennDOT
3 is running a deficit and unable to fund road projects
4 in the state, let alone this small state road. We
5 can't fund the expansion of Route 22. When will the
6 state get to Applebutter Road to repair it?

7 This is all relevant to our quality of
8 life and the ability for our township residents to
9 travel throughout the Township peacefully. What about
10 all the car maintenance costs that we pay because of
11 the road is in bad shape? Is it in bad --- is it in
12 bad shape because of the heavy and overweight trucks
13 and the amount of traffic on the road? We pay the
14 price in the maintenance and upkeep of our vehicles.

15 Water studies. Have you done any well
16 testing on the Redington track, the former --- sorry.
17 Have you done water testing on Redington track or the
18 former Helms track? Have you considered testing water
19 at different elevations of each of these tracks? Have
20 you done surface water runoff flow rate studies for
21 Redington --- the Redington track? Have you done
22 surface water runoff flow rate studies for the Helms
23 track?

24 And Drew, I can't compete with you. You
25 know so much more than I do, but I'm trying here. So

1 have you done surface water runoff flow rate studies
2 for the Helms? Have you done studies on the Riverside
3 Drive road washout? What is the record for the
4 washout history of Riverside Drive? What an
5 interesting question. As we all know, and we live
6 through the washout that occurred, I don't know, six
7 weeks ago maybe. And they can tell me whatever they
8 want but I know that started from the top of the
9 landfill. Nobody's going to convince me any
10 differently. And this has happened over and over and
11 over again. And I've lived in the Steel City since
12 1985, and I know at one time when the landfill put
13 nature right on the old original landfill, for those
14 of you that can remember, four feet of foam slid down
15 the mountain after a big, horrible rainstorm which
16 went across the narrows, went down over the slope,
17 went down over the railroad tracks and went into the
18 Lehigh River and the landfill got heavily fined for
19 that.

20 What is the record --- I already said
21 that. Have you done studies on traffic detour impacts
22 of Riverside Drive washes? Okay, I said that. Okay.
23 Have you done --- finding my place again. Have you
24 done studies on the potential need for additional fire
25 and police services to protect the Township with the

1 new development? Have you studied the amount of
2 groundwater recharge provided by the forest?

3 Excellent question. How will you mitigate that?

4 Enter into record the official --- no, I
5 might have said that already. Okay, enter into the
6 record. I'm repeating myself. The official
7 comprehensive and open space plan for Upper and Lower
8 Saucon, the natural resource inventory of Lower Saucon
9 which is the Saucon region recreation and open space
10 plan. You know, which shows the forested slopes,
11 support hill slides --- hill slide wetlands of springs
12 and seeps that provide water to Bull Run. Have you
13 studied these wetlands? They're very important.

14 What about the uncommon native Rose Bay
15 Rhododendron? What about the uncommon Rock Harlequin
16 and the Red and Yellow Native Columbine? Riverine
17 turtles on the riverbank included Painted Turtle, Map
18 Turtle, Common Snapping Turtles. Seven species of
19 fish in the vicinity of Laubach Island near Steel
20 City. When will you study them?

21 I also, repeating myself again, enter in
22 the record the multi municipal comp plan, page 68 I
23 believe, which shows the overlay of local greenway
24 corridors and the regional significant sensitive
25 natural resource areas and open space. Steel City is

1 for sale. We are not a pay for play municipality, so
2 I'm voting no. This is a devastating abuse of land
3 entrusted to council, eliminating safeguards to review
4 and review process which is not in the best protection
5 for managing development. The natural resource
6 mitigation alternative is just working clear and is
7 clearly in favor of --- this is just in favor of one
8 developer and not the residents. I can't read my own
9 writing. Sorry. Let's not forget about the
10 easements, the woodlands --- the woodland easement,
11 the Helms and the Redington. They're part of the D&L
12 trail, which I value, the Steel City slopes which is
13 one of the remaining forested area along the Lehigh
14 River which has to do any recreation activities.
15 That's very nice to be able to see a wooded patch of
16 land instead of all kinds of industrial development
17 along the river.

18 This land will never, ever be used for
19 anything else. Once it's gone, it's gone. It's not
20 like a shopping center. You can't tear it down and
21 put another use there. You cannot put anything else
22 on top of a landfill because of the pipes and the
23 testing that goes on years and years after it's
24 closed. The Council majority has proven it has no
25 respect for any landowner or resident except for the

1 landfill. Over all my years on Council, we stayed out
2 --- stood out in the forefront with our strict
3 environmental regulations and zoning. Now in my
4 opinion, we are a laughing stock. Not only in our
5 community, but in the Lehigh Valley and Saucon Valley
6 areas.

7 And that's all I'm saying for now. I
8 will have more comments after I hear from the public.

9 CHAIR:

10 Mark, do you have anything at this
11 point? All right, Sandy? Tom?

12 MR. CAROCCI:

13 No.

14 CHAIR:

15 I just have a handful of questions. You
16 know, Priscilla, you went through that laundry list of
17 items, and I --- I don't recall you placing on the
18 agenda of any Council meeting anything to investigate
19 or address any of those issues. I don't recall you
20 requesting that anything be put on the agenda, and I'm
21 not aware of you undertaking any of those things
22 yourself. And I also do not recall if you voted
23 against the police contract or not. The police
24 contract.

25 MR. CAROCCI:

1 I think she did.

2 MS. DELEON:

3 What does that have to do with anything?

4 CHAIR:

5 You were --- you were discussing the
6 police and their --- their needs to enforce different
7 things around the landfill areas. The other thing ---
8 I'm not --- I let you speak. Allow me to speak.

9 The other issue that I would like to, I
10 guess, put on the record at this point, and Mark, you
11 can probably speak to this. There was reference in
12 Priscilla's comments about the washout that occurred
13 on Riverside Drive when we had the torrential 500 year
14 storm. And you received a --- you received an email
15 from DEP, did you not?

16 MR. HUDSON:

17 Yes, the Township did.

18 CHAIR:

19 And can you summarize generally what the
20 content of that email was with regard to their
21 investigations or findings?

22 MR. HUDSON:

23 My recollection is that they did not
24 blame it on the landfill. And that's the Pennsylvania
25 DEP.

1 CHAIR:
2 Pennsylvania Department of Environmental
3 Protection, all right. Yeah.

4 MR. CAROCCI:
5 I --- I have something about ---.

6 CHAIR:
7 All right.

8 MS. DELEON:
9 Wait, I want to rebate what you just
10 said. You ---.

11 CHAIR:
12 Hold on, I'm not done. I'm not done
13 here, Priscilla. No. So it's part of the record that
14 DEP did investigate that washout that occurred, and
15 made a determination that it was not a result of any
16 landfill activities. Right, Mark?

17 MR. HUDSON:
18 Correct.

19 CHAIR:
20 All right.

21 MR. CAROCCI:
22 I do something with the LVPC.

23 CHAIR:
24 Go ahead, Tom.

25 MR. CAROCCI:

1 So it's made up of 37 voting members.
2 None, to my knowledge, are from Lower Saucon Township.
3 They're appointed by the Northampton County Executive
4 and the Lehigh County Executive. You know, they ---
5 they have no authority. They are only a recommending
6 body. Even the --- even the --- they spend a ton of
7 money. They're very expensive. They --- their ---
8 their executive director is basically a political
9 appointment that can make up to \$270,000 a year. And
10 this is from Lamont McClure, the Northampton County
11 Executive. Who --- who, when they wanted to pay an
12 extra \$120,000 in rent for an office building, he
13 discussed a possible divorce from the Lehigh Valley
14 Planning Commission. You know, from funding them.
15 From stop funding them. He did it at a council
16 meeting. This is in Lehigh Valley live.

17 And he said, currently Northampton
18 County gets the benefit of its bargain for being a
19 part of LVPC. But as costs creep up and as --- and it
20 costs Northampton County taxpayers more and more to
21 fund LVPC, we have to look hard at all the
22 expenditures. We have to look hard at all the
23 expenditures. So even --- even the county has their
24 doubts about the benefits of LVPC for the cost. And
25 you know, to me, I think it's a completely political

1 organization and I'm --- I'm less inclined to follow
2 anything the LVPC says than inclined. I think they're
3 --- I think they're a political joke.

4 CHAIR:

5 All right.

6 MS. DELEON:

7 Well, everybody's entitled to their
8 opinion.

9 CHAIR:

10 Thanks, Tom.

11 MS. DELEON:

12 I wasn't finished with my statements.

13 CHAIR:

14 Hold on.

15 MS. DELEON:

16 My rebuttal to you.

17 CHAIR:

18 You didn't start a rebuttal to me. I
19 --- you didn't even start a rebuttal to me. I was
20 speaking, and I was continuing to speak and then Tom
21 spoke. So now I'll recognize you if you have
22 additional comments to make.

23 MS. DELEON:

24 I just want to say that over the years
25 that we've had many runoffs that closed river --- the

1 narrows of Riverside Drive. It wasn't just that one
2 incident, and I wasn't up there on the top of the
3 landfill, but they had 24 hours on that Sunday to
4 really fix whatever happened up at that landfill. The
5 DEP didn't get here until Monday to see what was going
6 on. So I have questions, and I will continue to have
7 questions. I don't care what the email says.

8 And I also would like to say that again,
9 this is many, many occurrences. And as you, and
10 please, the police department, I was not being
11 derogatory at all. I hope you know that. I support
12 you guys. I trust you guys and your lives are out
13 there. I support and pray that you're okay every day.
14 So, please.

15 CHAIR:

16 Okay.

17 Unless there are other comments from ---
18 so Linc, do you want to add anything to the dialogue?

19 ATTORNEY TREADWELL:

20 No, I'd just like --- no. I'd just like
21 to say one thing about the stormwater runoff and the
22 washouts as Priscilla referred to them that have
23 happened before. It is entirely possible that any
24 development of that area will decrease the possibility
25 of those washouts and runoffs occurring. Because ---

1 because the property owner will be required to handle
2 the stormwater runoff, whereas now there is no
3 obligation to handle it. So I think the Council needs
4 to know that, and that there's that potential that any
5 development, whether it be landfill or anything else.
6 Houses, landfill, warehouses, anything that gets
7 developed on that property would be required under the
8 township ordinances to control the rate of the
9 stormwater runoff. Whereas today it is completely
10 uncontrolled.

11 CHAIR:

12 As well as DEP. Correct?

13 ATTORNEY TREADWELL:

14 I'm sure if it's a landfill, if --- if
15 there's a landfill use that is proposed on that
16 property in the future, DEP would definitely regulate
17 the stormwater.

18 CHAIR:

19 Thank you.

20 MR. CAROCCI:

21 And Linc, can you confirm the LVPC is
22 just a recommending body and have actually no
23 authority over this Township whatsoever?

24 ATTORNEY TREADWELL:

25 Yeah, I --- I saw the LV --- yes. They

1 are --- they are a recommending body. And I saw the
2 LVPC letter, and I appreciate what they said, although
3 I did have some questions about what does not align
4 with the intent means. I'm not sure what that means.
5 They didn't say that this is 100 percent against the
6 plan or 100 percent against this. It says does not
7 align with the intent in various different spaces. At
8 one point, it says inconsistent with something and I
9 can't remember the other one, so.

10 MR. CAROCCI:

11 But it doesn't say what it's
12 inconsistent with?

13 ATTORNEY TREADWELL:

14 It did somewhere. I don't --- it could
15 have been future LV, which is the county plan. You
16 know, we --- we have a map that shows the --- the
17 local Lower Saucon Township comprehensive plan in that
18 area and it shows that part of the existing landfill
19 isn't consistent with what that map shows. And that
20 map is --- is not drawn or wasn't drawn when it was
21 drawn along parcel lines. Right? It's more of a
22 guesstimate. And I think that, I think our
23 comprehensive plan even says at the top in bold red
24 letters, recommendations. So your comprehensive plan
25 is not the law.

1 MS. DELEON:

2 Okay.

3 So I wasn't going to read this until
4 later, but I decided to continue to read this. Lehigh
5 Valley Planning Commission letter dated August 3rd.
6 I'm going to kind of jump over different parts of it.

7 First page, zoning ordinance amendments,
8 conditional use and site plan approval exemption. The
9 township zoning Ordinance designates landfills and
10 waste disposal facilities as a special exception use
11 in the LI District. The amendment proposes to change
12 landfills and waste disposal facilities from a special
13 exception to a use permitted by right in the LI
14 District. The exact landfill, or waste disposal
15 facility, from the site plan approval process is if it
16 will require a land development approval under the
17 township subdivision and land development ordinance
18 and a permit from the DEP.

19 These text amendments, and they said
20 this about six times in their letter, do not align
21 with the intent of future LV, the regional plan to
22 protect the health, safety, and welfare of the public,
23 Policy 3.2. Landfills and waste disposal facilities
24 are high intensity land use --- uses that have
25 significant social and environmental impacts and

1 impacts to residents and or the environment resulting
2 from expanding and increasing operations must be
3 cautiously scrutinized and mitigated. Environmental
4 impacts of landfills include release of methane gas
5 and carbon dioxide, two significant contributors to
6 climate change.

7 Currently, the solid waste section
8 contributes --- sector, contributes 4.8 percent of
9 greenhouse gas emissions of the Lehigh Valley. But
10 without action, emissions in the solid waste sector
11 will increase 16.2 percent by the year 2050, according
12 to the Lehigh Valley greenhouse gas assessment. As a
13 highly land --- land consumptive use, landfill
14 expansions often result in destruction of
15 environmental resources and wild habitats. This poses
16 a direct impact to the land, but also affects the
17 economic value open space provides to Lower Saucon
18 Township and the Lehigh Valley.

19 Natural systems such as forests,
20 wetlands, riparian corridors provide the greatest
21 economic benefit through natural green infrastructure
22 that reduces tax dollars by avoiding over 110.3
23 million in expenditures for water supply, flood
24 mitigation, and water quality. The air quality
25 benefits provided by trees adds another 48.2 million

1 value annually, and that's from the Lehigh Valley
2 return on environment.

3 Social impacts of landfills include
4 possible health risks for residents if landfill gases
5 migrate either above or below the ground. Landfills
6 are also found to decrease land values. A study by
7 the Penn State University Northeast Regional Center
8 for Rural Development found that high volume landfills
9 can depress adjacent property values by 12.9 percent.

10 Now, we all know that if, it says that
11 the health risk for residents if landfill gases
12 migrate. We all know they do, and they do it almost
13 on a daily basis. I called in an odor complaint to
14 DEP yesterday and the day before, and I know other
15 residents have.

16 So getting back to the report.
17 Landfills help keep communities clean by providing a
18 designated place for waste disposal and preventing
19 litter. However, the need for waste disposal must be
20 balanced with managing the impacts generated by land -
21 -- by land use. These adverse impacts can be
22 mitigated with careful review and evaluation of
23 individual proposals with reasonable safeguards to
24 reduce greenhouse gas emissions, to reduce climate
25 change impacts. And that's a future LV Policy 3.4,

1 provide environmentally responsible and economic solid
2 and electronic and hazardous waste disposal and
3 recycling. Protect the quality and quantity of
4 surface water and groundwater, and improve regional
5 air quality. And that's also of the Policy 3.2, and
6 promote safe and healthy, inclusive and livable
7 communities. And that's goal five.

8 The DEP --- sorry. The Pennsylvania
9 Department of Community and Economic Development
10 Governor Center for Local Government Services state
11 special exceptions and conditional uses are usually
12 reserved for those land uses that have a significant
13 impact on the zoning district or the whole community
14 or for those uses that necessitate additional
15 safeguards. Common examples of such uses include, but
16 are not limited to, landfill, special. And then it
17 has, there's --- there's a booklet number seven that
18 explains all of this. If anybody's interested, please
19 see me after the meeting.

20 Conditional special exception uses are
21 regulatory safeguards that provide municipalities the
22 opportunity to ensure projects pose minimal adverse
23 impacts on the health --- public health, safety, and
24 welfare. The text amendments proposed eliminating
25 these safeguards and review processes which are not in

1 best practice for managing development. In the past,
2 we had a planner, we had people that planned our
3 amendments to our zoning ordinances. We do not have
4 that today. We have the people, the majority of
5 Council sitting up here.

6 Under the natural resource mitigation
7 alternative. The amendments add provisions for the
8 natural resource mitigation alternative where
9 applicants proposing to develop an industrial use
10 within the LI districts are permitted with written
11 approval from Township Council to exceed the net
12 buildable site area and utilize a greater area of
13 natural resource protection land that would otherwise
14 be permitted in the ordinance, provided that the
15 applicant dedicates an equal amount of land for
16 preservation. Other provisions in the proposed
17 section include that the land proposed dedication does
18 not need to contain the same environmental resource as
19 those resources protected lands on the subject
20 property, and the section provides a fee in lieu
21 option if the applicant demonstrates inability to
22 obtain any or enough property for dedication.

23 It's hard for me to even read this. I'm
24 embarrassed --- I have the floor now. I'm embarrassed
25 to even, to read some of this that this went out to

1 the county. The addition of it --- sorry, my finger
2 keeps flipping off. Thank you. The addition of a
3 natural resource mitigation alternative does not align
4 with the intent of the future LV to protect high
5 priority natural lands, and that's Policy 3.1.
6 Preserving natural resources in a given area does not
7 necessarily work as a one for one trade for
8 environmentally sensitive features existing in areas
9 proposed for development and risk fragmentation of
10 natural landscapes and greenways. And to add the goal
11 of our Open Space Committee when it was under the EAC
12 was to try to create greenways as we bought
13 properties, and that was very, very important and a
14 high priority when we chose our properties.

15 The zoning map amendment --- the subject
16 application proposes to rezone seven parcels totaling,
17 I'm not going to read this part because Linc kind of
18 did that. I can almost hear myself not talking. The
19 proposal to rezone the northernmost parcels as LI
20 districts, parcels one to five, does not align with
21 the future land use plan of the future LV, the
22 regional plan. These parcels are located in a
23 character defining --- in a character defining area
24 representing the natural and scenic character of the
25 Lehigh Valley and contain high preservation priority

1 features shown on the future LV natural resource plan
2 such as woodlands, steep slopes, and the Natural
3 Heritage Inventory core habitats.

4 The types of uses recommended in high
5 preservation priority areas are parks and open spaces,
6 woodlands and agricultural, and low intensity limited
7 scale development that preserve natural and scenic
8 resources. The LVPC strongly recommends that the
9 Township prioritize retention of natural natures as an
10 essential characterizing attribute in the area near
11 the Lehigh River, which going back to those 1994
12 easements that was one of the purposes. So let the
13 record highly reflect that.

14 Under the Township comprehensive plan
15 and zoning ordinance objectives, overall the proposed
16 zoning ordinance amendments and zoning map amendments
17 do not align with the goals outlined by the --- in the
18 Township's recently updated comprehensive plan. Our
19 resources are valley multi municipal comprehensive
20 plan in Pennsylvania's Saucon Valley. The plan
21 identifies the Township's natural resources along with
22 its other cultural and historic assets as significant
23 components of the region's future economic
24 development. And that's on page 1-6.

25 The plan's goals to balance initiatives,

1 balance development, and conservation initiatives in
2 order to maintain the ambience and quality of the
3 Saucon Valley's distinct cultural landscapes, small
4 town, suburban and rural and enhance in continuity of
5 resources, enhance the continuity, visibility and
6 interconnectivity of the Valley's cultural, natural,
7 and historic resources. And that's on page 112. And
8 again, I'm embarrassed that it does --- that we're in
9 this situation.

10 The area proposed to be rezoned does not
11 align with the Township's future land use and housing
12 map. Specifically, parcel five to be rezoned LI
13 district is identified as open space in the plan with
14 the purpose of larger scale natural resource
15 conservation and or recreation. The map of Regionally
16 Significant Natural Resource Areas, which is page one
17 through 21, also shows that the areas --- the areas
18 proposed to be rezoned conflict with the regionality
19 significant sensitive natural resource areas.
20 Additionally, the proposal to change landfills and
21 waste disposal facilities to a permitted by right use
22 and reduced review provisions does not align with the
23 intent, purpose, and scope of the Township zoning
24 ordinance outlined in Section 180-3, including C,
25 providing reasonable guidelines for development within

1 and adjacent to environmentally sensitive areas, E,
2 preserving the value of real property and F,
3 protecting the quality of environmentally sensitive
4 areas both within and adjacent developments. And H,
5 facilitating implementations of these policies,
6 proposals, and objectives of the comprehensive plan
7 for Lower Saucon. I'm almost finished.

8 Municipalities, when considering zoning
9 ordinance and map amendments should reasonably attempt
10 to be consistent with future LV, the regional plan, as
11 required by the Pennsylvania Municipals Planning Code,
12 MPC Article 1.105, Article 3.303, and it goes on and
13 it lists all the numbers. Please send any final
14 amendments that are adopted, that's your job. The
15 LVPC has copied representatives of the Saucon Valley
16 Municipal Plan to further coordinate land use
17 decisions across municipal boundaries, Policy 1.4. If
18 you have any questions regarding the content of this
19 letter, please do not hesitate to call.

20 And that was by Jillian Seitz, I don't
21 know if I'm saying her name right, Senior community
22 Planner at LVPC. So that's in the record.

23 CHAIR:

24 Okay.

25 Linc, are we ready to proceed with the

1 hearing?

2 ATTORNEY TREADWELL:

3 Yes.

4 CHAIR:

5 All right.

6 We have several pages of names of
7 individuals who wish to speak during the hearing.
8 Each of those individuals will need to be sworn. And
9 as I explained in my instructions earlier, when you
10 approach the microphone, identify yourself.
11 Acknowledge that you've been sworn, and also identify
12 your address for the record so we can keep track of
13 the witnesses.

14 Yeah, we're going to proceed with
15 swearing all of those witnesses at once. So everyone
16 who intends to speak and testify during the hearing,
17 if you would please stand. Yeah.

18 COURT REPORTER:

19 Everyone, if you could look at me.

20 WITNESSES SWORN EN MASSE

21 COURT REPORTER:

22 You can all lower your hand.

23 CHAIR:

24 Thank you. All right.

25 Before we get started with the

1 testimony, just a few housekeeping matters. It sounds
2 like somebody has some chimes that are playing on
3 their phone. I would ask you to please silence your
4 phones and put them on do not disturb mode. And if
5 the officers are here, if you could. Thank you.

6 I've also arranged for lunch to be
7 brought in for Council, township staff, and the police
8 officers. I'm sure there are some people who are
9 going to say --- sure there are some people that are
10 going to say that the township has purchased lunch for
11 us, and that's not the case. I purchased lunch for
12 all of us. So rest assured, and I'm not saying that
13 for a pat on the back, but it's to take away any sort
14 of nonsense that may come from us sitting here eating
15 lunch while people testify.

16 So with that said, I can call the first
17 witness, those who are, and staff and the Council and
18 the police officers if you want to grab your
19 sandwiches as we take the testimony, feel free to at
20 your leisure, but we'll proceed with the testimony at
21 this point. All right, the first person on the list
22 is Russ Sutton. Russ Sutton.

23 MR. SUTTON:

24 My name is Russ Sutton. I reside at
25 2133 Saucon Avenue, and I'm a Township resident.

1 I completely agree with everything
2 Priscilla said. Unless there's engineers or
3 environmental specialists on this council, how can you
4 decide what is good for us? There's not been one
5 person in this entire room that wants this to happen.

6 And Mr. Treadwell, this is a money
7 making gimmick for you. How many thousands of dollars
8 you make this year with lawsuits? I mean, it's
9 insane. But --- but other than that, I live in Steel
10 City. Our holes --- all our water system, all our
11 wells are contaminated from that dump. And we never
12 got any retribution from the dump or anybody else. We
13 had to personally pay thousands of dollars to put new
14 water lines in for the city because they were
15 contaminated.

16 Another thing is, maybe Mr. Treadwell
17 might know the proposed on the amendment environmental
18 rights provisions of the Pennsylvania Constitution
19 Article 1 Section 27. Natural resources and the
20 public estate, the people have a right to clean air,
21 pure water, and the preservation of natural scenic,
22 historic, and aesthetic values of the environment.
23 Pennsylvania's public natural resources are the common
24 property of all people, including generations yet to
25 come. As trustees of these resources, the

1 Commonwealth shall conserve and maintain them for the
2 benefit of the people.

3 I think that's pretty clear. And you
4 know, if you think otherwise, there's something wrong
5 with you. Why are you rushing to rezone this 275
6 acres without doing any studies to determine the
7 impacts they'll have on health and safety and welfare
8 of the township? Not only the natural wildlife, the
9 plants, the water, everything. But what about the
10 residents, the organizations, and municipalities that
11 obtain party status that want to give testimony? What
12 impacts will you have on the Bull Run Creek, the
13 Lehigh River, the D&L trail?

14 I --- I don't comprehend why we have
15 this expansion. And in the previous hearings when we
16 became parties, they put a slide up on the screen
17 showing this dump to last to 2064. So this is only a
18 beginning. This --- this is the start. This is not
19 --- this thing's going to go on forever, and you're
20 promoting it. And you should --- you and you should
21 be really ashamed of yourself for promoting this for
22 your own benefits and for your own reasons. And no
23 one in this room wants this. And you're supposed to
24 represent us. You do not represent us. You're an
25 embarrassment because you don't represent us.

1 And there's an Article 66 that people
2 can remove from office for not following protocols and
3 actually representing their constituents. So I'm
4 completely against this. My wife and I are completely
5 against this. And how would you like to have a dump
6 next to your house? How --- and Mr. Tom Carocci, how
7 would you like a dump next to your house? Would you
8 enjoy that? Would you like that? I think we should
9 put dump --- put a dump next to your house to see how
10 you like it.

11 CHAIR:

12 Next is Mia Simon. Mia Simon.

13 MS. SIMON:

14 My name is Maia Simon, and I live at
15 3267 Bingen Road, and I acknowledge that I took the
16 oath.

17 Someone suggested earlier that the 9:00
18 a.m. Wednesday meeting was intended to make it hard
19 for people who are employed to attend. When the
20 meetings are at 6:00 p.m., nobody misses a meal. You
21 guys aren't missing a meal, but the rest of us are
22 missing a meal. Some of us have diabetes and need to
23 eat regularly. Some of us have other medical
24 conditions and we need to eat regularly.

25 Just because you can do something

1 doesn't mean you should do something. Mr. Treadwell
2 made the statement that it was recommendations from
3 various bodies and that they had no legal authority.
4 Well, you've got recommendations from the LVPC, from
5 our own EAC which has said, don't do this. You have
6 recommendations from many, many, many residents. You
7 have recommendations from surrounding municipalities.
8 You have recommendations that show up in the form of
9 legal action.

10 And just because you can do something
11 doesn't mean you should. There is a moral imperative
12 to serve the common good. And the common good does
13 not mean that we tear down a standing forest.
14 Standing forest has value over and above any amount of
15 money that might be made from developing it. It has
16 environmental value. It has spiritual value. It has
17 psychological value. It has social value.

18 I moved to Lower Saucon Township less
19 than a year ago, and I want you to know that I'm glad
20 that I'm a resident of Lower Saucon Township so that I
21 can speak and advocate against this travesty. Thank
22 you.

23 CHAIR:

24 Next is Robert Wells. Robert Wells. All
25 right, somebody said that Mr. Wells is not here. John

1 Gallagher. John Gallagher. Mr. Gallagher, again
2 you're a --- you're a resident or taxpayer of Lower
3 Saucon Township?

4 MR. GALLAGHER:

5 I am --- I'm a resident of Bethlehem
6 Township, and I serve on the Board of Commissioners of
7 Bethlehem Township.

8 CHAIR:

9 All right.

10 So the answer's no, you are not a
11 resident or a taxpayer of Lower Saucon Township.

12 Correct?

13 MR. GALLAGHER:

14 That is correct.

15 CHAIR:

16 All right.

17 MS. DELEON:

18 Doesn't the code say public ----?

19 ATTORNEY TREADWELL:

20 Are --- are because of the --- residents
21 and taxpayers.

22 CHAIR:

23 So ---.

24 MS. DELEON:

25 Are we going against state code?

1 ATTORNEY TREADWELL:

2 State --- which state code are you
3 talking about?

4 MS. DELEON:

5 The MPC says that it's supposed to be a
6 hearing, public.

7 ATTORNEY TREADWELL:

8 What section? that it says public
9 hearing?

10 MS. DELEON:

11 I don't know, I don't have it at my
12 finger tips like you would.

13 ATTORNEY TREADWELL:

14 It says public hearing.

15 MS. DELEON:

16 Public hearing.

17 ATTORNEY TREADWELL:

18 Does it define public?

19 MS. DELEON:

20 I don't know the answer to that.

21 ATTORNEY TREADWELL:

22 The answer is it doesn't define public,
23 and the township resolution has defined public as
24 being residents and taxpayers.

25 CHAIR:

1 All right.

2 Mr. Gallagher, you have to step away
3 from the microphone. It's for residents and taxpayers
4 only. I can ---.

5 MR. GALLAGHER:

6 I would like --- I would just like to
7 submit a copy of a resolution that the Bethlehem
8 Township Board of Commissioners had passed back in, at
9 a public meeting in March. March 6th of 2023 in
10 opposition to the landfill. I would like to read it
11 into the record.

12 CHAIR:

13 Well, you're not reading it into the
14 record because you're not recognized to have the
15 microphone. And you're also not a resident or
16 taxpayer of Lower Saucon Township. So if you would
17 just hold on for one second.

18 ATTORNEY TREADWELL:

19 Was that a March 6th resolution?

20 MR. GALLAGHER:

21 It was March 6th, 2023.

22 ATTORNEY TREADWELL:

23 That was prior to this ordinance being
24 prepared and or advertised.

25 MR. GALLAGHER:

1 That is true, but it could still be -.

2 ATTORNEY TREADWELL:

3 So this had to do with the prior
4 Ordinance?

5 MR. GALLAGHER:

6 It is relevant because the Ordinance
7 before you ---

8 ATTORNEY TREADWELL:

9 Is different.

10 MR. GALLAGHER:

11 --- allows for and actually encourages
12 ---.

13 ATTORNEY TREADWELL:

14 No. No.

15 CHAIR:

16 All right.

17 We're, sir --- we're not --- this
18 resolution predates the publication of the advertising
19 for this meeting, the resolution that's before us. So
20 it has no relevance to this matter. And you're also
21 not a resident or taxpayer. So while we appreciate
22 you being our neighbor, at the same time, there are
23 other residents and taxpayers who are --- have taken
24 time from work who want to testify and offer their
25 perspective to us, and we're going to hear from them.

1 MR. GALLAGHER:

2 The --- the ordinance ---.

3 CHAIR:

4 Sir, the answer is no. Sir, I'm not
5 arguing with you. I'm going to ask you to step away.
6 Sir, it's the last time I'm asking you, and otherwise
7 I'm going to have to recess the meeting and ask you to
8 step away, please.

9 MR. GALLAGHER:

10 Well, I ---

11 CHAIR:

12 All right?

13 MR. GALLAGHER:

14 --- I dispute the question of public.

15 CHAIR:

16 I'm making a motion to go into recess.

17 Do I have a second?

18 MR. INGLIS:

19 Second.

20 CHAIR:

21 All right.

22 Call the roll, please.

23 MR. HUDSON:

24 Mr. Inglis?

25 MR. INGLIS:

1 Yes.

2 MR. HUDSON:

3 Ms. Yerger?

4 MS. YERGER:

5 Yes.

6 MR. HUDSON:

7 Mr. Banonis?

8 CHAIR:

9 Yes.

10 MR. HUDSON:

11 Mr. Carocci?

12 MR. CAROCCI:

13 Yes.

14 MR. HUDSON:

15 Ms. DeLeon?

16 MS. DELEON:

17 Wait, we're going into recess? Is that
18 the motion?

19 MR. CAROCCI:

20 The disrupted --- the guy disrupted.

21 MS. DELEON:

22 No, he's not disrupting.

23 CHAIR:

24 What's your vote, yes or no?

25 MS. DELEON:

1 I know I have to vote, but no. I'm
2 voting no.

3 MR. HUDSON:

4 Motion passes 4-to-1.

5 CHAIR:

6 All right. All right. We will
7 reconvene in one minute.

8 ---

9 (WHEREUPON, A SHORT BREAK WAS TAKEN DURING THE
10 PROCEEDING.)

11 ---

12 CHAIR:

13 All right.

14 I'm going to call the hearing back to
15 order. I'm going to make a motion to resume the
16 meeting and take us out of recess.

17 MR. INGLIS:

18 Second.

19 MR. HUDSON:

20 Ms. Yerger?

21 MS. DELEON:

22 Yes.

23 MR. HUDSON:

24 Mr. Banonis?

25 CHAIR:

1 Yes.

2 MR. HUDSON:

3 Mr. Carocci?

4 MR. CAROCCI:

5 Yes.

6 MR. HUDSON:

7 Ms. DeLeon?

8 MS. DELEON:

9 Yes.

10 MR. HUDSON:

11 Mr. Inglis?

12 ATTORNEY GARBBER:

13 Yes.

14 MR. HUDSON:

15 Motion passes.

16 CHAIR:

17 All right.

18 The next witness is Rich Weikert. Rich
19 Weikert. One more time, Rich Weikert? All right, no
20 response. Next is Matt McLaren (phonetic). Matt
21 McLaren? All right, no response. Next is Sharon
22 Arnold. Sharon Arnold? One more time, Sharon Arnold?
23 No response. Next is Sal Gagliano. Sal Gagliano?
24 Sal Gagliano?

25 MR. GAGLIANO:

1 Sal Gagliano, 2530 Wolf Pack Run. Yes,
2 I've been sworn in.

3 Once again, we are sitting here and
4 trying to figure out why this town decides that my
5 land has to become industrial land. My land I moved
6 into was agriculture. My land was clean. My land is
7 my land. And if I decided to sell, I don't want to
8 sell it to the landfill, but I don't see why this
9 landfill has to expand.

10 I mean, I moved here eight years ago. I
11 think six years ago they came to us with they wanted
12 to expand upwards. We said okay, because they said
13 they were going to close in five years. Now we get
14 oh, we want to go for another 30 years. Come on,
15 really, guys? This is getting out of hand. What's to
16 say that in 30 years they're going to want to come
17 back and say, hey, well, you know all them guys that
18 decided they were going to sell out and we bought all
19 their land? Now we can expand even more.

20 Well, I'm guessing it's going to be Mr.
21 Carocci's backyard, Mr. Banonis's backyard. Now y'all
22 are gonna get the stink. Well, as far as that also
23 goes, Steel City, okay? You made them get a public
24 water. I'm on well. They were on well. You going to
25 bring that down to them?

1 The other part is, next thing you're
2 gonna --- next thing you're gonna know, you're going
3 to allow heavy trucks through Riverside Drive.
4 Riverside Drive is a one way road. The only way out
5 is up Redington road. And guess what? Half the
6 tractor trails that come through there get stuck on
7 that hill. Because their landing gears don't quite
8 clear it. You're going to have garbage trucks like
9 that coming in. They've only got wheels all the way
10 to the back. They can't move them. So that makes
11 them pretty darn low when they come over that hill.
12 They're all going to get stuck.

13 That's my only way in and out of my
14 house. I can't go back the other way. There must be,
15 what, 25, 30 people of us back there? That's our only
16 way in and out. So I think you guys need to actually
17 rethink. The --- the road in itself is already caving
18 in, in spots coming down that hill on Redington Road.
19 East Redington Road, the one on the bottom there,
20 that's already got some cave ins, too. You know, you
21 guys don't improve the roads. State can't improve the
22 roads because they ain't got the money and then it's
23 not my business. It's not their business.

24 Well, who's going to be responsible for
25 it? We're already paying our taxes for all this.

1 Come on, guys, wake up. Everybody's saying this isn't
2 a good idea. And if you want to go claiming all this
3 land and the conservation that you're going to, again,
4 I'm stating you're --- you're changing the
5 conservation easement, and you can put it someplace
6 else, but you're not putting what's already there
7 someplace else. You can't move the land, you can't
8 move the animals.

9 Come on, we want our place to be nice.
10 We want to be able to live and enjoy our land. That's
11 what God gave us the right to do. We want to breathe
12 clean air. We want to drink clean water. The
13 Pennsylvania Constitution says that we have the right
14 to this. You guys are destroying all that.

15 CHAIR:

16 All right.

17 Mr. Gagliano, you've had far more than
18 the three minutes.

19 MR. GAGLIANO:

20 Okay. I'm sorry.

21 CHAIR:

22 Thank you.

23 MR. GAGLIANO:

24 Thank you for your extra time.

25 COURT REPORTER:

1 Sir, how do you spell your last name?

2 MR. GAGLIANO:

3 G-A-G-L-I-A-N-O.

4 CHAIR:

5 All right.

6 Next is Nancy Gorzynski. Nancy

7 Gorczynski.

8 MR. CAROCCI:

9 Jason, thank you for the excellent
10 sandwich from Bagel Basket. If we're here at 5:00,
11 I'll get us all pizzas.

12 CHAIR:

13 I look forward to it. Thanks, Tom.

14 PUBLIC MEMBER:

15 No meal for us?

16 MR. CAROCCI:

17 Just township staff and police.

18 PUBLIC MEMBER:

19 Well, we're township staff. We're just
20 residents. We pay your salaries.

21 CHAIR:

22 We --- we don't collect a salary.

23 MR. CAROCCI:

24 I don't take a salary. Only Priscilla
25 does I think.

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CHAIR:

All right, go ahead, ma'am.

MS. GORCZYNSKI:

I'm Nancy ---.

CHAIR:

Folks, folks, all right, all right.

Mrs. Gorczynski was respectful when you were speaking. This is her opportunity to speak, so allow her to speak. If you can't control yourself, then please step out of the meeting room and so you can gather yourself together, collect your composure, and come back in. Ma'am, please proceed. You need to identify yourself, where you live, and acknowledge that you've been sworn in? okay?

MS. GORCZYNSKI:

I've been sworn in. I'm Nancy Gorczynski. Rude Nancy Gorczynski, according to Tom. And I ---

CHAIR:

Where do you live?

MS. GORCZYNSKI:

--- live in Lower Saucon.

CHAIR:

Okay.

What's --- you need her address?

1 MR. HUDSON:

2 No.

3 CHAIR:

4 Okay.

5 Yeah, and if you would acknowledge that
6 you've been sworn in.

7 MS. GORCZYNSKI:

8 I did.

9 CHAIR:

10 You did, I'm sorry. Go ahead.

11 MS. GORCZYNSKI:

12 I wasn't really sure what I was going to
13 say. Mr. Treadwell, I wish you lived up to your name
14 and the Gadsden flag. Because according to what I've
15 read on that proposal, we're giving the keys to the
16 kingdom, to the landfill, for now and forever. And
17 then we will be responsible for stuff that we aren't
18 responsible for now, when and if the landfill decides
19 to leave town, sell to another company.

20 And that proposal there with light
21 industrial, I'd like you all to look up, and in the
22 audience too, what light industrial means. It
23 certainly isn't a landfill. So what you're proposing
24 will be a detriment to everyone and everything in this
25 community. How you could agree to this proposal that

1 Ms. Garber must have danced in the streets after you
2 guys sat down and came up with this wonderful plan. I
3 --- I don't understand it. Why? And seeing as it's
4 only a one way street, you guys never answer any of
5 the questions.

6 ATTORNEY TREADWELL:

7 I'm a little --- since that evidently
8 was a personal attack on me, ma'am. I'm going to
9 respond to that. What are you talking about that the
10 township will be responsible for something when the
11 landfill's gone? What is that?

12 MS. GORCZYNSKI:

13 Well, in the proposal it says that we
14 get to reforest, whatever to improve ---.

15 ATTORNEY TREADWELL:

16 No, it doesn't. Where does it say that?
17 It doesn't say that.

18 MS. GORCZYNSKI:

19 I need a little help here because it was
20 already ---.

21 ATTORNEY TREADWELL:

22 Ma'am, if you are are going to accuse me
23 of things, then please know what you're talking about.
24 Because I am tired of listening to people accuse this
25 Council and accuse me of --- of things that are

1 incorrect. So if you're going to say that that
2 proposal somehow obligates the Township to do
3 something, I would like to know what that is.

4 MS. GORCZYNSKI:

5 Okay.

6 MR. CAROCCI:

7 It's actually rude to stand there and --
8 - and not have read something before you comment on
9 it.

10 MS. GORCZYNSKI:

11 I am proudly rude. Okay.

12 And article that you read at the
13 beginning, Mr. Banonis, about Rule 25. I think all of
14 you, other than an emergency situation where you peek
15 at your phone, the phone should be upside down, and in
16 your coat pocket during this meeting when people are
17 addressing you. That's all I have to say.

18 ATTORNEY TREADWELL:

19 Okay, ma'am.

20 But you still haven't answered my
21 question. What are you talking about when you say
22 that the host agreement, the proposed host agreement
23 obligates the Township to do something after the
24 landfill is gone?

25 MS. GORCZYNSKI:

1 I believe earlier there was a gentleman
2 that read that we would reforest and be responsible
3 for different things.

4 MR. CAROCCI:

5 We're not.

6 ATTORNEY TREADWELL:

7 A gentlemen, up here? Did I read that
8 or did one of these Council people read that or was
9 that a member of the audience that read that?

10 MS. GORCZYNSKI:

11 That it was in the proposal.

12 ATTORNEY TREADWELL:

13 Please show me where.

14 CHAIR:

15 He's asking you who.

16 ATTORNEY TREADWELL:

17 Please show me where.

18 CHAIR:

19 Who said that?

20 MR. CAROCCI:

21 And where is it in the proposal?

22 ATTORNEY TREADWELL:

23 Please feel free to discuss with anybody
24 ---.

25 MS. GORCZYNSKI:

1 Okay, should I go get the proposal?

2 ATTORNEY TREADWELL:

3 Yes, absolutely. I'd like to know what
4 we're talking about.

5 PUBLIC MEMBER:

6 Quit brow beating her.

7 ATTORNEY TREADWELL:

8 Ma'am, I'm not brow beating anybody. I
9 would like to correct ---

10 MR. CAROCCI:

11 She made an accusation.

12 ATTORNEY TREADWELL:

13 --- a factual statement. There was a
14 factual statement made.

15 CHAIR:

16 Ma'am, I'm going to --- I'm going to ask
17 you to conduct yourself and not stick your tongue out
18 at Council.

19 MS. DELEON:

20 Do you remember where you saw it? Do
21 you remember where you saw it?

22 CHAIR:

23 And Priscilla ---.

24 MS. GORCZYNSKI:

25 I've heard it today.

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CHAIR:

Priscilla, it's not your floor.

MS. GORCZYNSKI:

I've heard it today.

CHAIR:

Ma'am.

MS. GORCZYNSKI:

During this meeting.

CHAIR:

Please stop making gestures towards Council that we may find offensive, okay? You read that, and I've read that into the record at the beginning of hearing as to how we need to conduct ourselves.

Correct?

MS. GORCZYNSKI:

Correct.

CHAIR:

Okay.

So can you identify where in the paperwork is your support for your position?

MS. GORCZYNSKI:

I don't have the paperwork with me.

ATTORNEY TREADWELL:

Okay, that's ---.

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CHAIR:

All right.

So why don't we do this?

ATTORNEY TREADWELL:

That's fine. Look, I heard ---.

CHAIR:

Why don't you go sit down, and at that point you can review the paperwork and when you find whatever it is, I'm going to encourage you and ask you to come back up here and clarify your statements for us. Okay?

MS. GORCZYNSKI:

Okay.

CHAIR:

Thank you.

MR. CAROCCI:

Linc, can you just ---?

ATTORNEY TREADWELL:

I also heard the prior gentleman say that there were going to be trash trucks on Riverside Drive. Where did that come from? Whoever said there would be trash trucks on Riverside Drive?

CHAIR:

And also Riverside Drive is a PennDOT roadway which we don't have any control.

1 MR. GAGLIANO:

2 Can I --- can I reiterate that all state
3 trash trucks were going to come on Riverside Drive?

4 MR. CAROCCI:

5 And then also the --- all right.

6 CHAIR:

7 Next witness is Kim Myrer (phonetic).
8 Kim Myrer. All right, no response. Next witness is
9 Deb Filpotts (phonetic). Deb Filpotts. Again, no
10 response. Next witness is Dru Germanoski. Dru
11 Germanoski. Mr. Germanoski, nice to see you again.

12 MR. GERMANOSKI:

13 Hello. My name is Dru Geranoski, I'm a
14 township resident and I've taken the oath.

15 I want to remind us that this land that
16 is designated for rezoning is underlain by Reading
17 Prong rocks which are metamorphic rocks that are
18 fractured that regionally serve as groundwater
19 recharge sites or recharge some parcels of this land,
20 which in fact are carbonate rocks. And we have a
21 special ordinance recognizing the environmental
22 sensitivity of carbonate rocks to contamination and
23 their importance as groundwater resources.

24 I also mentioned earlier natural
25 resource inventory of Lower Saucon Township that

1 identified important natural resources present in the
2 township including springs, seeps, wetlands, vernal
3 pools, groundwater recharge occurring in the Reading
4 Prong hills and ridges that feed groundwater and the
5 carbonate rocks that form the valleys here and the
6 lowlands. They also feed surface water streams
7 hydrologically.

8 It also describes the value of forested
9 land, meaning that natural resource inventory
10 describes the value of forested land and steep slopes.
11 All of these features contribute significant
12 ecological service to mammals, including humans,
13 amphibians, reptiles, plants, birds, and fishes.
14 Parcel --- parcel five in particular on this map has
15 all of these amenities in them present, and parcels
16 one and six have a significant number of these
17 features.

18 Rezoning the land to accommodate
19 landfill expansion will destroy the land and the
20 hydrological function of this real estate all the way
21 down to the groundwater level. And I won't even get
22 into the issue of --- of liner failure and groundwater
23 contamination.

24 We were told earlier that the
25 regulations would allow for the replacement of natural

1 wetlands by the construction of other wetlands.
2 Restoration ecologists will tell you that manmade
3 wetlands rarely, if ever, have the same ecological
4 function of natural wetlands. Natural wetlands have
5 significant natural groundwater resources available to
6 them. They have soil characteristics and an ecosystem
7 that takes centuries, millennia, and tens of thousands
8 of years to form. Manmade wetlands as replacements a
9 fallacious assertion. And I won't get into the idea
10 of the law allowing fees to offset that.

11 I'm checking the time here. We also
12 hear about the notion that the DEP regulations are
13 going to prevent any environmental impacts. That's
14 not true. DEP regulations are written and amended by
15 politicians and enforced by the DEP by analog. We
16 have laws of behavior. We have law enforcement
17 officers that are talented and capable and dedicated
18 to enforce those laws. We have a legal system and a
19 penal system that's altogether are designed to prevent
20 crime.

21 Is crime prevented? There's still
22 crime. So leaning on the idea that DEP regulations
23 are going to prevent ---.

24 CHAIR:

25 All right.

1 Mr. Germanoski, your three minutes are
2 up. I'll allow you to wrap it up.

3 MR. GERMANOSKI:

4 I am wrapping it up. The DEP, the
5 notion that the DEP regulations are going to prevent
6 negative environmental impacts through this landfill
7 expansion is another fallacy. Okay? So we ---
8 Council shouldn't rely on that because it's fallacious
9 to make that argument or to believe that. They try.
10 That's what they do.

11 CHAIR:

12 Okay, thank you.

13 COURT REPORTER:

14 Sir, how do you spell your last name?

15 MR. GERMANOSKI:

16 G-E-R-M-A-N-O-S-K-I.

17 COURT REPORTER:

18 Okay.

19 MR. GERMANOSKI:

20 And my first name is D-R-U

21 CHAIR:

22 All right.

23 Next is Gordon Gress (phonetic). Gordon
24 Gress. No response. Next is Andrea Wittchen. Andrea
25 Wittchen.

1 PUBLIC MEMBER:

2 Weikert's here.

3 PUBLIC MEMBER:

4 Weikert's here, you passed by him.

5 PUBLIC MEMBER:

6 You passed by him.

7 PUBLIC MEMBER:

8 You said no response, but he was
9 outside.

10 CHAIR:

11 I'll --- I'll put you on at the end
12 after everyone else, okay? All right. So again,
13 Andrea Wittchen.

14 MS. WITTCHEN:

15 Andrea Wittchen. I've taken the oath.
16 You're not entitled my address.

17 CHAIR:

18 I'm not asking for it. I'm asking if
19 you're a resident or taxpayer of Lower Saucon
20 Township.

21 MS. WITTCHEN:

22 You know I am.

23 CHAIR:

24 No, I don't. You need to put ---.

25 MS. WITTCHEN:

1 Yes, we do.

2 CHAIR:

3 Ma'am, this is a hearing and you're
4 under oath, so you need to identify that.

5 MS. WITTCHEN:

6 Yes, I'm a resident of this sorry ass
7 township.

8 CHAIR:

9 Okay, thank you.

10 MS. WITTCHEN:

11 Before I begin my prepared remarks, and
12 I'd like my seconds back. Before I begin my ---

13 CHAIR:

14 Denied.

15 MS. WITTCHEN:

16 --- prepared remarks, I have one
17 additional comment to make, which is it was
18 interesting to watch Carocci, since he can't defend
19 the Trump via dump --- oh, excuse me. He used what we
20 see our former twice indicted --- twice impeached,
21 four times indicted president use as a tactic, which
22 is instead, he attacked the experts, all of which was
23 irrelevant. Nice distraction technique. You don't
24 often see that at the local level.

25 This rezoning was wrong when you did it

1 in December. It's just as wrong now. Perhaps even
2 more so because of the permitted use by right
3 stipulation, which strips away even more protection of
4 the environment. And you know it's wrong and you
5 don't care. You have no respect for the environment.
6 You have no respect for the concerns of the residents
7 of the Township. You especially have no respect for
8 the residents of this Township who are most impacted
9 by the rezoning that you're about to enact,
10 specifically those who live in Steel City.

11 And that's a pathetic example of
12 classism in action. You don't think they're worth
13 your caring about them. You're exacerbating
14 environmental injustice in plain sight. You have no
15 respect for the Constitution of this Commonwealth,
16 which clearly states in Article 1 Section 27, the
17 people have a right to clean air, pure water, and the
18 preservation of the natural, scenic, historic, and
19 aesthetic values of the environment. This rezoning
20 deliberately violates that right. And that means that
21 you clearly have no respect for the oath you took to
22 uphold that Constitution.

23 Do you even remember that you took that
24 oath? Why did you even bother? In return, we give
25 you the same amount of respect that you show to us.

1 In other words, none. But you will lose. Maybe not
2 today, but not --- maybe not soon. But you will lose.
3 I know this because I know what all of us who work in
4 protection of environment know to be true. In the
5 words of environmentalist Rob Watson, Mother Nature is
6 just chemistry, biology, and physics.

7 That's all she is. You cannot sweet
8 talk her. You cannot spin her. You cannot bribe her
9 with a host agreement. Nature is going to do whatever
10 chemistry, biology, and physics dictate. And Mother
11 Nature always bets last, and she always bets a
12 thousand. When she does, it will be ugly, and it will
13 be your fault.

14 CHAIR:

15 All right, ma'am.

16 Your time's up. Thank you, and thank
17 you for not giving us the middle finger again. All
18 right, next is Lynn Hill. Lynn Hill.

19 MS. HILL:

20 My name is Lynn Hill. I'm a Lower
21 Saucon resident. I'm very ashamed to admit that, and
22 I took an oath.

23 You're Council members, you all took an
24 oath, too. Do you remember it? Do you honor your
25 oath? Do you honor your fiduciary duties to protect

1 the interests of the residents, the inhabitants, the
2 nature, the trees, the water, the watershed of this
3 township?

4 We are your constituents. I don't care
5 how much money the dump has put into your political
6 campaigns. Their interests should not supersede the
7 interests of all of our township residents and their
8 future generations.

9 I understand there were some letters
10 sent to the township to be read into the record during
11 these hearings or during the meeting, and I just want
12 to make sure that that's acknowledged, because I know
13 people who have sent letters in, and I want to make
14 sure they're read.

15 I'm concerned most about the unlined
16 areas of this dump. The fact that, you know, fugitive
17 gas emissions can come out of them and pollute the
18 groundwater, the air and so forth leaching, into our
19 groundwater. And the unlined areas have been built
20 over top of them so that now the chance of it ever
21 being excavated and corrected is probably gone.

22 The conservation easements, and I --- I
23 have to emphasize the syllable con because it is a con
24 job. It is not a conservation easement. Why do they
25 need to be zoned light industrial? It's because the

1 landfill is going to be able to use them for all sorts
2 of support activities, such as gas monitoring probes,
3 groundwater monitoring wells, stormwater management.
4 And they can even use quarrying if --- if it's needed
5 in order to advance those activities.

6 So they can get their rock crusher,
7 which they have the permit for from DEP, and use it to
8 crush all the rocks on the slope to put in their
9 ground --- their retention basins and everything. I
10 mean, these conservation easements open the door to a
11 lot of activities that would not ordinarily be done in
12 an --- in an agricultural, residential conservation
13 easement like the existing ones that you have no right
14 to break.

15 The revenue we receive from Bethlehem
16 Landfill does not justify ruining ---.

17 CHAIR:

18 All right.

19 Miss, your time is up. If you could
20 wrap up.

21 MS. WITTCHEN:

22 I'd like another minute, please.

23 CHAIR:

24 Denied. Just please wrap up your
25 thoughts.

1 MS. WITTCHEN:

2 We entered 2022 with approximately \$34
3 million in cash, all funds combined. The general fund
4 excess of revenue over expenses exceeded \$2.3 million
5 last year. We are not financially dependent on the
6 landfill. Thank you.

7 CHAIR:

8 Thank you. All right, next is Maryanne
9 Garber. Maryanne Garber.

10 PUBLIC MEMBER:

11 She's not a resident. She's not a
12 resident. She's not a resident.

13 PUBLIC MEMBER:

14 She's not a taxpayer either.

15 CHAIR:

16 All right.

17 Folks, do you want to stop yelling and
18 interrupting the meeting, or do we need to take
19 another recess? All right.

20 We're going to take another recess
21 because there are folks in the crowd who cannot
22 control themselves. I encourage them to please step
23 outside, gather themselves, and come back inside when
24 they're in a better state of mind. So we're going to
25 take a recess for ---.

1 MR. CAROCCI:

2 But before that --- before that, can
3 Linc explain?

4 CHAIR:

5 Yeah.

6 MR. CAROCCI:

7 Why she's allowed to speak at this
8 hearing? So that they understand before the recess
9 why she's allowed?

10 CHAIR:

11 All right.

12 Well, she's a resident and taxpayer.
13 She's a legal representative of a resident and
14 taxpayer. We're taking a recess. I'll make a motion
15 to go into recess.

16 Do I have a second?

17 MS. YERGER:

18 Second.

19 MR. HUDSON:

20 Mr. Banonis?

21 CHAIR:

22 Yes.

23 MR. HUDSON:

24 Mr. Carocci?

25 MR. CAROCCI:

1 Yes.

2 MR. HUDSON:

3 Ms. DeLeon?

4 MS. DELEON:

5 No.

6 MR. HUDSON:

7 Mr. Inglis?

8 MR. INGLIS:

9 Yes.

10 MR. HUDSON:

11 Ms. Yerger?

12 MS. YERGER:

13 Yes.

14 MR. HUDSON:

15 Motion passes.

16 CHAIR:

17 All right.

18 ---

19 (WHEREUPON, A SHORT BREAK WAS TAKEN DURING THE
20 PROCEEDING.)

21 ---

22 CHAIR:

23 All right.

24 It's now 12:50. I'm going to make a

25 motion to return the meeting to order and come out of

1 recess.

2 Do I have a second?

3 MR. INGLIS:

4 Second.

5 MR. HUDSON:

6 Mr. Carocci, how do you vote?

7 MR. CAROCCI:

8 Yes.

9 MR. HUDSON:

10 Ms. DeLeon, how do you vote?

11 MS. DELEON:

12 Yes.

13 MR. HUDSON:

14 Mr. Inglis, how do you vote?

15 ATTORNEY GARBER:

16 Yes.

17 MR. HUDSON:

18 Ms. Yerger?

19 MS. YERGER:

20 Yes.

21 MR. HUDSON:

22 Mr. Banonis?

23 CHAIR:

24 Yes.

25 MR. HUDSON:

1 Motion pass.

2 CHAIR:

3 All right.

4 Next again on the list is Maryanne
5 Garber. I'm sorry, Ms. Garber, that we had to
6 interrupt you approaching Council. I --- according to
7 the sign in sheet, you're here as a representative on
8 behalf of the Bethlehem Landfill Company.

9 Are you a manager or director of the
10 company or designee of the company in any capacity
11 other than being an attorney?

12 ATTORNEY GARBER:

13 I'm not.

14 CHAIR:

15 Okay.

16 Do you intend to ask us to allow you to
17 testify?

18 ATTORNEY GARBER:

19 I would like to read a written statement
20 into the record on behalf of my client.

21 CHAIR:

22 All right.

23 Who is the written statement from?

24 ATTORNEY GARBER:

25 The written statement is --- is from me

1 on behalf of my client.

2 CHAIR:

3 Okay.

4 MR. CAROCCI:

5 Are you a resident or a taxpayer?

6 ATTORNEY GARBER:

7 I am not.

8 MR. CAROCCI:

9 Okay.

10 Your client is a taxpayer. Your client
11 pays property taxes.

12 ATTORNEY TREADWELL:

13 Yeah, okay, but --- but not a resident
14 or a taxpayer, and you're not designated by the
15 landfill company to speak on its behalf for this
16 purpose?

17 ATTORNEY GARBER:

18 I've been authorized to give this
19 statement on behalf of my client today. I am not
20 generally authorized to speak on behalf of Bethlehem
21 Landfill Company.

22 ATTORNEY TREADWELL:

23 All right.

24 Where --- if, is your statement in
25 writing?

1 ATTORNEY GARBER:

2 It is.

3 ATTORNEY TREADWELL:

4 All right.

5 We'll take your statement in writing,
6 but we're not going to let you testify.

7 ATTORNEY GARBER:

8 Okay, thank you.

9 CHAIR:

10 Thank you.

11 PUBLIC MEMBER:

12 Does the public get a copy?

13 CHAIR:

14 All right.

15 Next is Cindy McKellin. Cindy McKellin.
16 Thank you.

17 MS. MCKELLIN:

18 Cindy McKellin. I took the oath, and I
19 live in Lower Saucon.

20 I oppose the rezoning of 275 acres of
21 wooded land adjacent to the dump from RA to LI. This
22 change is in direct opposition to guidance provided by
23 Saucon Valley Municipal Comprehensive Plan and the
24 Lehigh Valley Comprehensive Plan. Our Environmental
25 Advisory Committee voted not to support this change.

1 Only EAC members Tom Carocci and Ann Spirk thought it
2 was an environmentally acceptable thing to do.

3 I have no confidence in voting from the
4 Planning Commission who supported this change. At the
5 meeting they appeared not to really understand what
6 was going on and were guided and influenced
7 significantly by Tom and Linc.

8 This land is totally unacceptable for LI
9 zoning given its steep topography and geological
10 makeup. There's no infrastructure to support building
11 on this land. Road access and utilities are very
12 inadequate, not to mention the environmental
13 disruption that will occur due to deforestation.
14 Animals and birds will lose their habitat. Air,
15 noise, and water pollution will occur adding to the
16 already struggling Lehigh River.

17 This land has conservation easements
18 that are intended to protect the land from future
19 development. There areas of historical significance
20 on this land. The character of the surrounding
21 community will totally change. I use the D&L Trail
22 for outdoor recreation. I can already see the dump
23 when I do my walks. The dump expansion will only make
24 longer sketches of unsightliness.

25 Also included in the proposed change is

1 allowing landfills and waste disposal facilities as
2 permitted use. You are giving away the Township's
3 ability to have a say in what the dump will do. There
4 is expert testimony prepared from previous conditional
5 use hearing that was not heard by you. Yet, you want
6 to go ahead and make these changes based solely on the
7 word of the dump owned by a company in Texas who could
8 care less about the people in Lower Saucon Township.

9 I'm still waiting for you to explain how
10 the dump expansion is in the best interest of the
11 citizens of Lower Saucon. As Mr. Treadwell also
12 eloquently stated at last Thursday's Planning
13 Commission meeting, you are under no legal obligation
14 to answer our questions. Well, how about just plain
15 old common courtesy? Many of the people sitting in
16 this room voted for you. You lied to them and us
17 before the election, and now you're ignoring our
18 concerns and railroading these changes before the next
19 election. I can only hope that come November that the
20 good citizens of Lower Saucon Township will turn the
21 tide and vote out the evil majority that is ruining
22 our township. Thank you.

23 CHAIR:

24 Okay, thank you. Next is Bob McKellin.
25 Bob McKellin.

1 MR. CAROCCI:

2 Is this another candidate endorsement,
3 political speech coming?

4 MR. MCKELLIN:

5 Bob McKellin. I took the oath. I live
6 in Lower Saucon.

7 I want to be known that I am very
8 opposed to the expansion of the dump in our township.
9 Driving on Shimerville Road from the south when I go
10 over to the D&L trail, it's a littered mess and I a
11 lot of times watch New Jersey and New York trucks
12 contributing on their way to Applebutter Road where
13 they make their right. It is beyond annoying.

14 I wonder why our township committees are
15 stacked with all the same people. Tom Carocci today
16 will be voting for the third time for dump expansion
17 in the last couple weeks. How fair is this to get
18 three votes for the dump who bankrolled his candidacy
19 through the pack? Instead of votes, he should refuse
20 himself. He voted with Ann Spirk on the Environmental
21 Advisory Council to say the expansion is good for the
22 environment in Lower Saucon. Environmentally good.

23 Good for what? The air, water, ecology?
24 Then at the Planning Commission meeting, he voted with
25 Doug Woosnam, Chris Nagy, and Jeffrey Schmehl to not

1 write their earlier wrong, but to double down and vote
2 to expand the dump as he led the discussion along with
3 Linc.

4 Then there's the whole host thing and
5 their are a list of benefits. One particular one
6 stands out to me. Channel 69 and Channel 6 have been
7 covering the ongoing troubles of waste connections.
8 The owner of AJ Blosenski Hauling Works in Bucks,
9 Burke, Lehigh, and Chester County. They've bought
10 this company in September of 2022. Trash has been
11 building up because of no regular hauling. This
12 refers to the hauling part that was in the host
13 agreement part of our deal here.

14 The promises of sporadic trash removal.
15 I say no way do I want waste connections to be
16 responsible for our trash removal. do not need to
17 have our Township in the news for any more than it
18 already is. As a D&L Heritage Corridor volunteer,
19 please vote no for the dump expansion. Please.

20 ATTORNEY TREADWELL:

21 All right.

22 Mr. McKellin, can I --- Mr. McKellin,
23 can I ask you a question? What are you talking about
24 hauling?

25 MR. MCKELLIN:

1 Yeah, hauling.

2 ATTORNEY TREADWELL:

3 Where's it say --- where's it say that
4 Waste Connection's going to do trash hauling for Lower
5 Saucon Township?

6 MR. CAROCCI:

7 Get to the microphone.

8 MR. MCKELLIN:

9 Did you read the part of the benefits in
10 the bulk ---?

11 ATTORNEY TREADWELL:

12 I read the whole agreement, and I didn't
13 see any words in there about any trash hauling taking
14 place in Lower Saucon Township.

15 MR. MCKELLIN:

16 Well, if it's not in there, I apologize.
17 But I --- I ---.

18 ATTORNEY TREADWELL:

19 So you were wrong?

20 MR. CAROCCI:

21 You're making things up?

22 MR. MCKELLIN:

23 Yeah, if it's not in there, I apologize,
24 but I thought I saw it in there. I wouldn't have just
25 made that up.

1 ATTORNEY TREADWELL:

2 I just want --- I just want to know what
3 you were referring to.

4 MR. CAROCCI:

5 You did just make that up.

6 ATTORNEY TREADWELL:

7 All right.

8 MR. CAROCCI:

9 Answer Linc's question. All right,
10 walking away?

11 MR. MCKELLIN:

12 I --- I just said if it wasn't there, I
13 did answer it.

14 ATTORNEY TREADWELL:

15 He answered my question. He didn't ---
16 he didn't know what it was.

17 CHAIR:

18 All right.

19 Next up is Claire Sadler (phonetic).

20 Claire Sadler. No response. Next is Brit Condрави

21 (phonetic). Brit Condрави. No response. Next is

22 Frank Palumbo. Frank Palumbo.

23 MR. PALUMBO:

24 Frank Palumbo. I've been sworn in. I'm
25 a Lower Saucon resident.

1 I've spoke with you guys multiple times,
2 and thanks for don't --- for not looking at your
3 telephones while you're looking at me here today. I
4 wish you guys would apply your own rules to yourselves
5 as you try to impose upon us.

6 So why am I here again? I want to know
7 who you guys work for. I've asked this question
8 numerous times. My wife's asked the question, why is
9 garbage good for us? The garbage is good for the dump
10 and for making money. And I get that, and money makes
11 this world go around. And I totally see how money is
12 corruption --- corruptive as well.

13 I know this fall, the pack will be
14 pounding the pavement, endorsing their next puppets.
15 Twenty (20) billion pounds of garbage is what we're
16 looking at here in this 275 acres, if you guys decide
17 to do it. And I already know the decision, so it
18 almost feels like I'm wasting my breath, time, and my
19 time off work to come and address you guys. But the
20 more you hear it, the more publicity that we get, the
21 more the community and the surrounding communities
22 understand where this community stands, where this
23 Council stands, and where their oath lies.

24 And it's certainly not with the
25 residents and the people who put you guys here. So 20

1 billion pounds for 30 years. And that land is dead.
2 Dead. What's your comment? Well, why don't we just
3 build a land --- a ski resort, as I heard once in past
4 Council meetings? Not this current Council. It's
5 dead land. You cannot do nothing with it. It has to
6 be monitored, and it's dead land. So we can just kiss
7 that land all goodbye the second we decide to rezone
8 it.

9 And who's going to stop the dump from
10 moving on to more land? Because you guys are looking
11 at the next 400 plus acres or 600 acres or whatever it
12 comes out to, because that's the next step after this.
13 Clearly you guys have no conscience. You guys don't
14 listen to anybody that's been up here. You don't give
15 a crap about anybody's opinion. And I hope whatever
16 motives it is, it's certainly worth it, because none
17 of us here can see it.

18 We're all scratching our heads. Why is
19 this expansion good for us? It's good for one
20 organization. The landfill, the dump. It is not good
21 for us. We don't need the money. You guys know that
22 as well. I'm just amazed that you guys still can sit
23 there and --- and even sleep, probably. I don't know
24 how you guys can sleep knowing that 20 billion pounds
25 are going to be sitting in this township.

1 CHAIR:

2 Okay, thank you.

3 Next is Sue Lucrezi. Sue Lucrezi. No
4 response --- okay.

5 MS. LUCREZI:

6 Sue Lucrezi, and I've been sworn in, and
7 I against this --- I'm a resident and taxpayer, yes.
8 I represent myself. I have been sworn in, and I am
9 against this rezoning.

10 First, I want to point out that 6:30
11 meetings are not missed by people who have doctors
12 appointments generally. So if you could stick to the
13 6:30, that would be much more, show a lot more respect
14 for your public.

15 This rezoning goes against health,
16 safety, and welfare of current and future residents.
17 The proposal is out of alignment with the Township's
18 future land use map. Explain that one. Do your due
19 diligence and have studies done before you take a
20 vote. It's irresponsible to do it without the
21 studies.

22 You've heard --- you've heard --- I've
23 heard and you've heard the studies that are needed.
24 Groundwater. Groundwater's pretty important.
25 Wildlife. Wildlife is pretty important. Have the

1 Pennsylvania Fish and Game Commission give some input.
2 They're pretty important. Protected species. That's
3 pretty important. The flow rates of water, that's
4 another important thing. And the Lehigh River. I
5 don't know. I, that doesn't --- nothing needs to be
6 said.

7 I could only --- I came up with a term
8 throughout this meeting. This seems to be the Lower
9 Saucon Township Councilization (phonetic), Priscilla
10 accepted, a term for the seizure of property from
11 resident to nonresidents. And if you don't know the
12 historic reference to that, I'm going to challenge you
13 to look it up.

14 Be a good steward of our Township and a
15 good neighbor to our Lehigh Valley community and the
16 world community and don't vote for this. You have no
17 rush. You have no need to vote on it today. Get some
18 studies done. At least show us that you're listening
19 by having a study or two or three or four or five
20 done. Thank you.

21 CHAIR:

22 All right, thank you.

23 Next is Larry . Larry Optof. No
24 response. Next is Stacey Misenski (phonetic). Stacey
25 Misenski. No response. Next is Tim Murphy. Tim

1 Murphy. No response. Next is Larry Wright. Larry
2 Wright. No response. Next is Robin Karrie, Kenny?
3 Robin Connie. No response. Next is Victoria Optof-
4 Cordaro. Victoria Optof-Cordaro.

5 MS. OPTOF-CORDARO:

6 Thank you. Victoria Optof-Cordaro. I
7 was sworn in. I am a resident of Lower Saucon
8 Township.

9 First and foremost, I --- I would like
10 to say that three minutes is entirely inappropriate
11 for consideration of this type of zoning ordinance
12 that's being proposed today. I --- I've never seen
13 such a situation in which, a public hearing in which
14 you are supposed to be considering the health, public
15 safety and welfare of our constituents. You are
16 trying to stifle constituent input, stifle comments
17 from Bethlehem Township, from the Delaware and Lehigh
18 National Heritage Corridor, and prevent as many people
19 as possible from providing any meaningful input to the
20 decision making.

21 It would make sense from a logical
22 standpoint that if you are proud of presenting this
23 type of --- of zoning Ordinance to the public and for
24 the constituents of the Township that you would
25 welcome information. Residents has prepared hours and

1 hours of testimony, hydrogeologic, geologic, planning,
2 historical. I don't think we've heard anybody discuss
3 the fact that two of the three largest parcels up for
4 rezoning contain the Redington historic district,
5 which is a district that was very important for World
6 War I munitions and something our Township should be
7 very proud of. And rezoning it to light industrial so
8 that it can be desecrated by a landfill is --- is
9 atrocious when you aren't willing to accept the
10 testimony from people who can provide you that
11 relevant information. It's like putting blinders on
12 and pretending that this is somehow good for us, and
13 every opportunity that's been presented to you and for
14 people to present the meaningful information has been
15 sidestepped.

16 I've heard lots of comments about well,
17 we have recommendations. We're not legally obligated
18 to follow recommendations from the EAC or the LVPC.
19 We're not legally obligated to hear from Bethlehem
20 Township or any of the other municipalities or
21 organizations that wanted to provide you in a
22 conditional use hearing testimony. We didn't even get
23 that far. We didn't even get that far. So to move
24 forward and change it to a permitted as of right use
25 is exactly what you shouldn't be doing.

1 You haven't heard any testimony from
2 anybody. I've heard our Council President discuss the
3 fact that while Ms. DeLeon didn't request any study,
4 she had the opportunity. So does Banonis. So does
5 Ms. Yerger, so does Mr. Inglis, and so does Mr.
6 Carocci. And so you all have the opportunity. You
7 all know that phase four of the landfill expansion is
8 four years of additional dumping. You have four years
9 to figure out whether this is an appropriate
10 expansion.

11 So why in God's creation have we decided
12 to go from special exception conditional use to now
13 permitted as of right?

14 CHAIR:

15 All right, your time is up.

16 MS. OPTOF-CORDARO:

17 I respectfully request additional time
18 to present some more information about why this is an
19 appropriate use.

20 CHAIR:

21 Granted. I will give you an additional
22 two minutes.

23 MS. OPTOF-CORDARO:

24 I appreciate that. I want to make sure
25 the record reflects that there have been comments

1 provided from various people who were unable to be
2 here. I do respectfully request that the hearings
3 that happened December 2022 be made a part of this
4 record. I understand that our solicitor has made the
5 opinion that they --- they are not relevant. However,
6 when we're talking about the same parcels, and I think
7 that's been referenced by this Council and in the
8 Planning Commission that they've reviewed this already
9 in December, they've reviewed the other things. So
10 our own municipality is using the fact that they've
11 reviewed it at a conditional use or they've looked at
12 it in the December rezoning as a basis for them not to
13 look into additional thing at the Planning Commission
14 meeting that just happened three days ago to now flip
15 the switch and say, well, the Planning Commission can
16 say they looked at it in December 2022 or January, but
17 now the Township doesn't have to take all of this
18 testimony that happened in December to make their
19 decision.

20 And I do ask you to go back and look at
21 the minutes because it was specifically stated that
22 the Planning Commission took plenty of time and
23 reviewed this many, many times in the past referencing
24 December and January before they made their decision.

25 So if they included the December and January reviews,

1 then this Township should also be taking that review
2 and taking all of the testimony and information that
3 was provided in December. So I do respectfully
4 request that, and I understand there may be a
5 difference of opinion on that particular matter. I
6 additionally ---.

7 ATTORNEY TREADWELL:

8 I didn't --- I didn't say it wasn't
9 relevant. I said it was a different ordinance and a
10 different hearing. Didn't say it wasn't relevant.

11 MS. OPTOF-CORDARO:

12 Okay, so I ---.

13 MR. CAROCCI:

14 And planning --- and planning had to,
15 planning had a --- had it on the agenda at their
16 meeting and in both December and ---.

17 MS. OPTOF-CORDARO:

18 I just respectfully request ---.

19 CHAIR:

20 I'll allow you to wrap up your thoughts.
21 I've given you more than two minutes now, even with
22 that colloquy with Linc and Tom.

23 MS. OPTOF-CORDARO:

24 I respectfully request that this Council
25 schedule additional meetings so that residents can

1 provide expert testimony that's been prepared that was
2 ready to go in the conditional use proceedings. That
3 was ready to go in the zoning hearing proceedings.
4 And that should be considered by this Council before
5 it makes any decision on the health, safety, and
6 welfare of our community. Thank you very much.

7 CHAIR:

8 Thank you. All right. Next is Michael
9 Ciccarello. Michael Ciccarello.

10 MR. CICCARELLO:

11 Yes, my name is Michael Ciccarello, and
12 I am a Lower Saucon taxpayer. I --- yes, I have been
13 sworn in.

14 I have listened to many people today,
15 and I would like to state that when Priscilla asked
16 you to raise your hands on any studies that have been
17 done on economic and environmental studies for your
18 decision to go forward with this landfill, no one
19 raised their hands as if nothing has been looked into,
20 nothing has been studied. Why aren't you doing your
21 due diligence to explain to the public why this is
22 good for us? You haven't. You haven't done your
23 homework. You can't explain to any of us how this is
24 beneficial.

25 We see all the negatives. We have

1 expert witnesses that have told you why it's not good.
2 Why do you continue to push this on us? You act more
3 like a pimp rather than a councilman.

4 CHAIR:

5 Okay, thank you. Claudia Markellos.
6 Claudia Markellos.

7 MS. MARKELOS:

8 Claudia Markellos, 2545 Quarry Lane, I
9 have been sworn in.

10 Everyone has addressed, they've talked
11 about all the things that I would talk about. So what
12 I'm left with is a personal point. Three years ago,
13 my husband and I were looking for a house, and we
14 found a house on Quarry Lane and it suited us
15 perfectly. And we're not loaded with money, so the
16 price of the house just told us, this is where you're
17 going to live. We've been there for three years, and
18 it's a place where we're happy, where we're
19 comfortable, where we live our lives out. We have our
20 interests.

21 We live a long way from work. I have --
22 - I work at Doylestown Hospital, and I have a minimum
23 of 45 minutes. But when I'm driving down Redington
24 and I see my house, all the stress of the day just
25 disappears. This is my safe place. If this goes

1 through, all that will be gone. I'll --- I will
2 retire in about two years, and I'll be retiring to a
3 home that will be violated by the landfill. The
4 thought of that is damaging. We don't want to live
5 anywhere else.

6 I --- I am against this, and I hope that
7 it doesn't go through. Our --- our property 0.34
8 miles from one of the boundaries of the landfill. You
9 add ten feet to that, and there's our front door. I'm
10 good.

11 CHAIR:

12 All right. Thank you, ma'am. All
13 right, next is Bob Lasko. Bob Lasko.

14 MR. LASKO:

15 Bob Lasko, Lower Saucon resident. And
16 yes, I am sworn in.

17 To those who live on the other side of
18 the Township who might think that this doesn't affect
19 you. I suggest you take a look at this host agreement
20 that's being proposed. And remember this, if you sit
21 on the other side of the Township, you sit on the
22 sidelines and you don't help us fight this, one day
23 the tables will be turned. And they'll do something
24 similar to you.

25 I would like to make an appeal to the

1 mothers, fathers, grandfathers, and grandmothers. Why
2 is it that my family, my children, my grandchildren
3 are less valuable to me? Why do you think that than
4 yours are to you? That you would allow this
5 perversion of justice and allow the Bethlehem Landfill
6 to continue?

7 A man suggested at a recent meeting that
8 those people who oppose the landfill should keep their
9 garbage at home. And I'll go you one step further.
10 I'll keep my garbage at home when New Jersey, New
11 York, and any and all out of area municipalities keep
12 their garbage at home. According to the Pennsylvania
13 DCNR, there are within one mile of my house address
14 195 sinkholes. One mile, which is clearly evidence of
15 carbon carbonate geology. It would only take one
16 intrusion into the aquifers to poison our waters and
17 land.

18 And the thought that you are worried
19 about being sued by developers because of there not
20 being enough land and LI zoning? What a hoot. Since
21 when are you afraid of a lawsuit? Apparently you're
22 not worried about what will happen if this goes
23 through. But I wonder if you're not fighting so hard
24 because you're wondering what will happen to you if it
25 doesn't go through. What promises have you made that

1 you worry about the repercussions if you can't fulfill
2 them?

3 At a recent quarterly landfill meeting,
4 Mr. Banonis stated that there'd been an uptick in
5 complaints and maybe it was because of the recent
6 opposition. I think a more relevant question is, why
7 had there been a drop in complaints previously?
8 Because the DEP, as far as representing us and helping
9 to curtail or stop this or even regulate it has been
10 basically useless or close to it. There's plenty of,
11 plenty of, evidence out there to support that.

12 People have been talking that this
13 landfill was going to be out of business since the
14 last century. That's what they've been told. It's
15 time that the landfill stops lying to the Lower Saucon
16 Township residents and the general public. I work for
17 a company that now grosses approaching \$30 billion a
18 year. Corporations plan in 20 plus years ---.

19 CHAIR:

20 All right.

21 Mr. Lasko, you've had more than three
22 minutes. I need you to wrap up your comments. Mr.
23 Lasko, can you hear me?

24 MR. LASKO:

25 I did hear something.

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CHAIR:

All right.

Yeah, so my comments to you are that you need to wrap up your comments.

MR. LASKO:

I'll do that.

CHAIR:

Did you hear that?

MR. LASKO:

Yes, sir.

CHAIR:

Okay.

MR. LASKO:

So each time the residents were told that the landfill would close in three to five years, who was lying? Can I go just another minute or so?

CHAIR:

No, I've given you an extra minute. But I do have a question for you before you step down.

MR. LASKO:

Yeah, go ahead.

CHAIR:

You made a comment that you attributed to me about an uptick of complaints with regard to the landfill. And I'm asking what is the basis of that

1 information? Because I don't think you were at the
2 last landfill committee meeting that we --- hold on,
3 let me finish. Let me finish.

4 MR. LASKO:

5 Go ahead.

6 CHAIR:

7 At the last landfill committee meeting,
8 which covered the period of April 1 through July 31,
9 I'm sorry. April 1 through June 30, 2023, there was
10 actually a marked decrease in complaints against the
11 landfill, which is interesting because you would think
12 that there would be more complaints in the warmer
13 months when people would be outside, and I mentioned
14 that at that meeting. So are you referring to some
15 prior historical data to support your statement?

16 MR. LASKO:

17 Yes, I am. And are there are those
18 here.

19 CHAIR:

20 Okay.

21 So, but you're not referring to ---
22 you're not referring to ---?

23 MR. LASKO:

24 Now, let me answer.

25 CHAIR:

1 Okay.

2 You did answer, you said, yes, I am. So
3 you did answer my question. But my question next to
4 you is the information --- hold on, sir.

5 MR. LASKO:

6 Well then ---.

7 CHAIR:

8 Sir, hold on, hold on, hold on. Let me
9 finish.

10 MR. LASKO:

11 Okay.

12 CHAIR:

13 Let me finish. So my question to you
14 is, your statement is not based upon the most recent
15 information that was made available publicly at the
16 meeting that covered the period of April 1 through
17 June 30, 2023.

18 Correct? Is that correct?

19 MR. LASKO:

20 It was at the previous meeting.

21 CHAIR:

22 Okay.

23 That's all I needed. Thank you.

24 MR. LASKO:

25 Okay.

1 he's been told since last century that the landfill is
2 going to close every three years, or in three years
3 every --- but Priscilla was the only one on Council
4 back then, so if she was making those promises. And
5 she voted, has voted to expand the landfill every time
6 for the past 36 years. Every time.

7 MS. DELEON:

8 I'm not even going to ---.

9 MR. CAROCCI:

10 And she's the one --- she's the one who,
11 when President of Council didn't put a third party on
12 the conservation, she's voted for 36 years to expand
13 that landfill every time. So when people come up here
14 and say, thought it was going to close in five year,
15 well that was Priscilla promising you that. And she's
16 the one that kept it open for the past 36 years.

17 PUBLIC MEMBER:

18 Liar.

19 CHAIR:

20 All right.

21 Here we go. Next person up is ---.

22 MS. DELEON:

23 No, he didn't. He just accused me of
24 doing something. I should at least be allowed a
25 response.

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CHAIR:

Go ahead.

MS. DELEON:

Right, I will. And whenever the landfill has had expansions, my theory was if it was within their box and it was ---. My theory was always that if they were expanding and it was within the box, I had a duty because I took the oath like everybody else did. That if it, no matter if it was a landfill, a parking lot, a shopping center, if the applicant met the regs and our consultants said they met the regs, I had a duty to vote yes or it would go to court. And I did.

Now, when they were outside the box, they --- they kept asking for rezoning, and I never supported a rezoning. And I did vote one time, the last time that they were before us for an expansion within their box. Because you guys, instead of putting a year for conditions to be, the conditional -- the conditions for approval for the review of the site plan, usually we give our developers a year. You guys extended it three years. And I thought, whoa, for a landfill? You don't do that for mom and pop business, but you're going to do that for a landfill. So I voted no.

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CHAIR:

Has there been a mom and pop business that's come before us and asked us for that extension?

MR. CAROCCI:

No, but also ---.

MS. DELEON:

Please, and you're gas lighting.

MR. CAROCCI:

But my point is --- my --- my point is, Priscilla.

MS. DELEON:

Please.

CHAIR:

I'm just responding to your comments. You're making, you're contributing ---

MR. CAROCCI:

Priscilla --- Priscilla is the only ---.

CHAIR:

--- things to me which aren't true. So I'm correcting the record to correct your misstatements. Go ahead, Tom.

MR. CAROCCI:

And Priscilla is the only current member of Council that was in the 1990s saying the landfill was going to, because she was only member of current

1 Council that was on Council in the 1990s.

2 MS. DELEON:

3 Sandy, when did you start Council?

4 CHAIR:

5 All right.

6 MS. YERGER:

7 It wasn't 1990s.

8 CHAIR:

9 All right.

10 We're moving on with the next witness.

11 MS. DELEON:

12 She's been on for many expansions also.

13 CHAIR:

14 Next witness is Cesar Medina. Cesar
15 Medina. Cesar Medina.

16 MR. MEDINA:

17 I've been sworn in, 2594 Redington Road.
18 Tax payer.

19 What a great sight. The community
20 coming together. Thank God for the good officers,
21 Council meeting, members. Time, three minutes. In
22 New York City, we got a lot of things going wrong, but
23 three minutes? That hasn't happened yet. Picture
24 that. And about what he said about, you know, maybe
25 you afraid of turning your back on somebody else that

1 is running the deals. Somewhere in Texas.

2 I was, you know, working with a guy. He
3 said, what size are you? I said, why? You know, if
4 we need to make concrete shoes for the Hudson River, I
5 need to know.

6 So that being said, we can't live in
7 fear. These good people are living in fear. I'm not
8 living in fear. I got Jesus, and he got me. If I
9 die, I'm fine. But if I leave, I got to speak the
10 truth. And the truth is that the science it don't
11 support landfills. Especially this kind of landfills.
12 If you don't have any other plans, make plans to go to
13 a great park. Mount Trashmore in Virginia Beach.
14 What a sight.

15 The problem is that what is underneath
16 that is alive. And it needs to be disturbed and it
17 goes back to what it used to be. Anytime, by any
18 reasons, it will happen anywhere. A super fun. That
19 be tremendous.

20 Landfills are as unpredictable as
21 weather. The more they tell you they got control of
22 the beast, the more they lying to you. The beast is a
23 beast. I don't care what it's made of. I don't care
24 how much --- how many years they give you for those
25 things to exist.

1 CHAIR:

2 All right.

3 Mr. Medina, your three minutes is up.

4 If you could wrap up your comments, please.

5 MR. MEDINA:

6 Yes, sir.

7 CHAIR:

8 Thank you.

9 MR. MEDINA:

10 My wrap up is Hawaii. Burning explosive

11 gases, Hawaii. Just picture that. This community,

12 one wildfire that started in a landfill is over. We

13 don't have a job either. We don't have a house.

14 Thank you.

15 CHAIR:

16 Thank you, sir. All right, next is

17 Ginger Petrie. Ginger Petrie.

18 MS. PETRIE:

19 Ginger Petrie, 2626 Redington Road. I

20 took the oath.

21 When I came up here the first time, it

22 was just all anger and I was shaking I was so angry.

23 But there's people that have been for me. And when I

24 look at your map, and I'm looking at where the

25 rezoning is, I own quite a lot of property along the

1 side of it. The landfill now owns the whole length of
2 my woods. The landfill now owns the top because of
3 buying the tank farm and another private property
4 where those people are allowed to live for ten years.
5 Think about that. That's because their next
6 expansion's coming farther. They really want my
7 property, too.

8 Now, part of the reason I'm upset is
9 beauty. Where I am and where a lot of these people
10 have been guests on my property in order to view what
11 will happen. It's a beautiful forest. We have
12 beautiful hawks and birds. Now, I see this on a daily
13 basis because of what I do. I go out in the fields
14 and I mow hay, and I --- and I spray my weeds, and I
15 do everything I'm supposed to do to have a good
16 product. And I go around and around and around. And
17 when I do that, it's very peaceful. There's the hum
18 of the tractor, and you're looking at all the
19 beautiful land around and around and around.

20 So when I pass that and I look at that
21 gorgeous mountain, and I look at what's going to come
22 next to my gorgeous mountain, it makes me sick. All
23 right?

24 Now, I've always been proud of this
25 Township, very proud. The person that just talked in

1 front of me, and I'm sure I got to watch my time. I
2 stood there and I showed those people, he and his
3 wife, the property, and they walked away within a few
4 minutes and came back, and they wanted to own it
5 because God spoke to them and talked to them about the
6 beauty and the energy from that land.

7 Now, some of you have seen it, some of
8 you have not. Between the animals and the water and
9 the plants that are there and all of those creatures
10 that are going to be coming toward me, which I don't
11 mind, I'll welcome them. But knowing that what you're
12 doing and what you're planning on doing next, taking
13 me and changing me into light industrial.

14 I can't see how it's good for the
15 community. I can't see how taking away that whole
16 mountain of beauty is worth this for more trash. I
17 don't get it. I'll never get it. You're going to do
18 what you're going to do, but everybody sitting here
19 respects the land, and you can't take it back. That's
20 our point. Thank you.

21 CHAIR:

22 Thank you. All right, next is Evan
23 Needham. Evan Needham.

24 MR. NEEDHAM:

25 Good afternoon. Evan Needham, 2523

1 Redington Road. Yes, taxpayer.

2 So you can see Ginger's property off to
3 the right ---.

4 CHAIR:

5 You've been sworn in as well.

6 Correct?

7 MR. NEEDHAM:

8 I have, yes. I'm sorry. You --- you
9 can see Ginger's property off to the right, just off
10 screen. What you don't see is the 40 acres that I own
11 that run the entire river mile and a half from the
12 riverfront, as well as a beauty of historic ruins from
13 World War I. And it quite --- it is quite an amazing
14 site to go see if you have the opportunity to walk
15 this land that's going to be turned into trash.

16 But I want to make a point about the
17 fact that, you know, in the beginning, I thought,
18 okay, what's their reason? Obviously, you have to ask
19 that question. There's got to be a motive. And the
20 reason was because of the fear of lawsuit. And I
21 understand right in the beginning, there was not an
22 amount of community support to give you the confidence
23 to not go forward with this because you have to do
24 your job. Okay.

25 Here we are almost come six months

1 later, and you have an entire army of people giving
2 reasons galore of why we can potentially look into how
3 to avoid this. And the funny thing is, is really the
4 community behind me is really the community because I
5 moved here, I saw Lower Saucon. And the first thing I
6 was told by the zoning office is, oh, what are you
7 going to put there? We don't want sheds. We don't
8 want this. We want the community to be beautiful. I
9 was, like, understood, and check.

10 I love that because I want to make this
11 place beautiful. I've been working to clean up my
12 property, to do the same. Then I met the local police
13 officers who's been reporting to all the scenes of the
14 dumping, ironically, on Riverside Drive, and how much
15 of an effort it's been to clean that up. And it's
16 been an effort. We've cleaned up a lot of trash.

17 And so you see a community of people who
18 are really making a difference, like Bob and Ginger
19 and so forth, and many others that I've gotten the
20 fortune to meet here today. And we've been doing an
21 amount of work that's absurd to clean this area up,
22 stop violence, stop dumping, and make it beautiful.
23 And the police have been helping us.

24 And that's the irony --- the irony. Is
25 this is the people, and they're not even being

1 listened. And I want to bring up one point. I've
2 been in front of other Council meetings before, and
3 the difference that I see here and the reason why
4 there's so much hostility between the Council and the
5 people is because there's a difference in listening to
6 listen and listening to respond. And I see a lot of
7 listening to respond and a lot of public defamation
8 going on. And it's --- it's kind of sad because I see
9 other councils that are willing to work with the
10 people for the majority of what they want and the
11 benefit of them.

12 And there's --- there's, Bob's got a
13 beautiful granddaughter who runs --- runs around on my
14 property, his property, and that's what she knows of
15 her childhood. And these are the people who are going
16 to have their lives completely devastated. Completely
17 devastated. And you don't get that back, by the way.
18 You don't just build up something nice on a landfill.
19 I mean, it --- it smells already horrendous in that
20 area. It really does.

21 And you know, it's almost as like a
22 question of what have we all been doing? And you're
23 about to lose the control of the Township because what
24 people see is kind of a clown circus show. And when
25 you start having that, it's hard to maintain

1 leadership. It's hard to maintain discipline. It's
2 hard to maintain community. And if we lose community,
3 there's really no hope left of this.

4 So genuinely, I know my time's up. I'll
5 wrap it up. But please consider the fact that long
6 term, it's more important to focus than right now.
7 Because right now it's easy to just make a yes and
8 move on and go to sleep at night. But you have to
9 think about tomorrow. Thank you.

10 CHAIR:

11 Thank you, sir. And Rich Weikert. Mr.
12 Weikert had stepped out earlier and asked to be placed
13 back on the list.

14 MR. WEIKERT:

15 Rich Weikert. I took the oath. I'm a
16 resident of Steel City. I'm probably within three
17 quarters of a mile of the dump now. I get up in the
18 morning at six o'clock, go to work, come out my door.
19 What do I smell? Methane gas. It's bad.

20 You said years ago, call. We called, we
21 called, and we called. Well, they're putting more
22 dirt over to cover it. It don't help. You go to sit
23 up, like this past summer, 90 degrees. Let's go
24 swimming. All you smell is garbage. I didn't build
25 my house in Steel City to do that. It was a nice,

1 close resident. You got, what, 230 homes there?
2 We're densely populated. Why would you guys want to
3 make a landfill bigger behind us? It was supposed to
4 close years ago.

5 I thought this fight was over then, but
6 it just doesn't seem as though you guys are looking
7 for money, and that's all it is. When it comes down
8 to it, it's the bottom dollar. I understand that you
9 need money to run the Township. This is part of it.
10 Money can be raised other ways. Do you ever think of
11 putting it up for a vote? Let the people of the
12 Township vote on this. That's what should be done.
13 Not you guys. Because there's too much in conference
14 here that somebody says, oh, you're getting money in
15 your pocket. I honestly think so now. People of the
16 township should be voting on this, not you.

17 You're putting it right next to the
18 river. You're going to pollute that damn river. I
19 just think you ought to think this over a little bit
20 and let the people vote on it, not you people. Thank
21 you.

22 CHAIR:

23 All right, thank you.

24 I believe that that concludes the
25 testimony from residents and taxpayers.

1 ATTORNEY TREADWELL:

2 Just make sure. Is there anybody else?

3 Sorry.

4 PUBLIC MEMBER:

5 There's letters.

6 CHAIR:

7 So unless there's anybody else in the
8 audience that has failed to sign in and requested to
9 testify. Sorry, I have one person who raised their
10 hand. Are you a Lower Saucon Township resident or
11 taxpayer?

12 MS. SNYDER:

13 My name is Catherine Snyder. I live in
14 Hellertown. I want the record to reflect that I tried
15 to speak at a public hearing, and that I was denied.

16 CHAIR:

17 Okay, thank you.

18 MS. SNYDER:

19 Thank you.

20 CHAIR:

21 All right.

22 So Council has received a number of
23 emails. They total 11 in total. Each of the Council
24 members has received those emails. I've had the
25 opportunity to review them. The emails that we

1 received were from, and just identifying this for the
2 record because we'll accept these as part of the
3 record. We have an email from Kathy Pitchell McGovern
4 (phonetic) that was provided on August 28th, 2023 8:53
5 p.m. We have an email from ---.

6 MS. DELEON:

7 So you're not going to read them into
8 the record?

9 CHAIR:

10 I'm not recognizing you right now,
11 Priscilla. We have another email from --- that, one
12 that doesn't have a name on it that was provided to
13 the Township Manager on August 29, 2023 at 8:53 a.m.
14 We have another one that was provided to the Township
15 by Paul Tucker and that was submitted on August 29,
16 2023. Another one that was provided on August 29,
17 2023 by Bruce Petrie. We have another one that was
18 provided August 29, 2023 by Susan Eustace (phonetic).
19 Another one from Victoria Optof-Credero, who is
20 providing the letter from State Representative Bob
21 Freeman. The letter is from December 2022 which I'm
22 not sure the relevance of that because it pertains to
23 the prior --- prior rezoning that was discussed in
24 December for a different plan than what's' at hand
25 here.

1 We have another one from Laura Ray that
2 was provided August 30, 2023. Another one from Daniel
3 Yanchuck (phonetic) August 29, 2023. Another one from
4 Pamela Hartnett (phonetic), August 29, 2023. And the
5 last one we have is from Richard Kish, Richard and
6 Janine Kish, August 29, 2023. So we'll attach them to
7 the record and consider those as part of our --- part
8 of our deliberations.

9 MS. DELEON:

10 So I have a question.

11 CHAIR:

12 Yes.

13 MS. DELEON:

14 Have Council --- have individual Council
15 members had an --- have --- had an opportunity to read
16 all these emails that were submitted to us?

17 CHAIR:

18 I have. It's up to other members to
19 respond to your question if they choose.

20 MS. DELEON:

21 I have not because there were some that
22 came in the wee hours of the morning, and I haven't
23 had the opportunity.

24 CHAIR:

25 Well, I did and I --- I don't know if

1 others have, but.

2 MS. DELEON:

3 So I just feel that --- I just feel that
4 they should be written, read into the record. I think
5 our policy says that they can be. So I don't know why
6 they're not.

7 CHAIR:

8 It says that they can be when they are -
9 -- when a person stands at the microphone and reads
10 it. I have no desire to read those. I have read them
11 myself. Mark, have you read them? Sandy, have you
12 read them?

13 MS. YERGER:

14 No, I do not.

15 CHAIR:

16 Sandy?

17 MS. YERGER:

18 No, I did not.

19 CHAIR:

20 Okay.

21 Tom, have you read them? All right,
22 then I mean, they're part of the record and you can
23 read them as we go through this proceeding today or
24 you could have read them earlier today.

25 MS. DELEON:

1 I have some more --- I have some more
2 remarks that I'd ---.

3 CHAIR:

4 I'm sorry. I missed one here. There
5 was one from Brina Holland (phonetic). This one was
6 also sent to the Township on August 29. So I'll --- I
7 forgot to include that one as well. I don't know if
8 those individuals who sent those emails are residents
9 and taxpayers, but nonetheless we'll accept those, you
10 know, with the suspicion that they may be. If they're
11 not, then they're not.

12 MS. DELEON:

13 Okay, may I say some more?

14 CHAIR:

15 No, not yet.

16 MS. DELEON:

17 Okay.

18 CHAIR:

19 All right.

20 There's an email that I would like to
21 share with the public. And this is --- this was not
22 provided necessarily in response to today's meeting.
23 In fact, it was long before that. And this was an
24 email that was sent to Mark Hudson with regard to the
25 City of Bethlehem wastewater treatment plant. And

1 I've heard comments from, yeah. I've heard comments
2 from several members of the public who have spoken
3 today. And I'd like to share with you the comments
4 that we received. This is an email from Edward
5 Boscola. He's a professional engineer, Director of
6 Water and Sewer Resources, City of Bethlehem. I
7 believe he's also the husband to Senator Lisa Boscola.
8 And I'm hoping that the contents of this email may
9 address some of the concerns that were presented to
10 Council today about pollution to the Lehigh River.

11 And this is what he says, and this was
12 sent on August 1st, 2023. Mark, he addressed this to
13 Mark Hudson, Township Manager, following up on our
14 discussion today about the combined sewer outfall, CSO
15 is the acronym for that facility. The city WWTP,
16 which is wastewater treatment plant, is permitted by
17 PA DEP, which is the Pennsylvania Department of
18 Environmental Protection, to operate a CSO facility.
19 Our collection system is considered a combined system,
20 i.e. storm and sanitary sewer combined in certain
21 areas of the city.

22 There may --- there remain many legacy
23 stormwater connections to the sanitary system that
24 date back decades, and as a practical matter will be
25 difficult to separate in an urban environment. This

1 condition can result in increases in flow to the
2 wastewater treatment plant during rain events. Plant
3 pumps, pumps --- I'm sorry, plant systems, pumps,
4 clarifiers, aeration tanks are designed to handle so
5 much flow before being inundated and flooding the
6 plant. In order to protect the plant during
7 significant rain events, the CSO is activated which
8 diverts the combined flow directly into the Lehigh
9 River after going through screening to filter out
10 larger debris.

11 CSO activation is based on flow to the
12 plant which is related to rainfall in general, but may
13 not be directly correlated since rain events can vary
14 considerably by intensity, duration and location. The
15 permit provides for monitoring for river water quality
16 upstream and downstream of the CSO during and after
17 the event. We average about two CSO events per year.
18 Also the 66 inch trunk line acts as a storage volume
19 during rain events. This allows us to hold back flow
20 and control it to the plant which also reduces the
21 volume that gets diverted to the river. There is a
22 bit of art and science to it, but it works.

23 The CSO facility is located
24 approximately one half mile east of the Minsi Trail
25 Bridge for each Stefko Boulevard on the south side of

1 the Lehigh River about one mile west of the wastewater
2 treatment plant. The CSO diverts flow from a 66 inch
3 sewer trunk line that runs along the river. This
4 trunk line carries 80 percent plus or minus of the
5 flow to the plant.

6 Leachate from the landfill enters the
7 plant from a completely different flow path down
8 Applebutter Road and directly into the plant. It is
9 possible for this flow to be diverted to the CSO.
10 Activation of the CSO cannot divert landfill leachate
11 flow to the river nor can it divert flow coming from
12 the Calpine Power plant and Majestic Warehouses and
13 other local areas. Hope the --- hope this --- hope
14 this helps clarify. Regards, Ed, Edward J. Boscola,
15 PE, Director of Water and Sewer Resources, City of
16 Bethlehem.

17 MR. CAROCCI:

18 So in --- go ahead.

19 CHAIR:

20 So --- so that is from the wastewater
21 treatment plan. And by contrast, Lower Saucon
22 Township has a municipal storm sewer system, an MS4,
23 that has stormwater pipes that go directly to the
24 creeks, rivers, lakes, ponds, and so on. Lower Saucon
25 Township stormwater is not treated in any way. So

1 unlike City at Bethlehem, their stormwater is mixed
2 with sewage, water and that water is sent to the sewer
3 plant. And when there's a rain event of more than two
4 inches, they are depositing rainwater mixed with sewer
5 water into the Lehigh River.

6 PUBLIC MEMBER:

7 Raw sewage into the Lehigh River.

8 PUBLIC MEMBER:

9 Not the landfill's, but ---.

10 CHAIR:

11 Apparently so. The city of --- the City
12 of Bethlehem has part of its system which is combined,
13 meaning that the stormwater and sewage are running
14 through the same system pipes and it all ends up in
15 the wastewater treatment plant. Having a combined
16 sewer system is not uncommon in old systems.

17 So I would like to include this email to
18 the record to clarify perhaps some misunderstandings
19 as to what comes from the landfill and what goes to
20 the wastewater treatment plant and what goes to the
21 Lehigh River. And also to point out the effect of the
22 City of Bethlehem's storm sewer and wastewater sewer
23 systems and the combined effect that that has on
24 discharges of raw sewage into the Lehigh River.

25 MR. CAROCCI:

1 Well, I think some of the people that
2 spoke knew that and they just --- they just choose to
3 ignore that fact.

4 PUBLIC MEMBER:

5 Can we --- can we ---?

6 CHAIR:

7 So --- no, no, it's over. It's over,
8 sir.

9 PUBLIC MEMBER:

10 So since the river's getting ---

11 CHAIR:

12 All right.

13 PUBLIC MEMBER:

14 --- contaminated, it's okay to
15 contaminate it more?

16 CHAIR:

17 All right.

18 So a couple other things that I want to
19 address here based on some of the comments, and I
20 jotted notes down and others may have questions as
21 well. And maybe Linc and Mark can answer some of
22 these questions.

23 Mrs. Petrie, Ginger Petrie had testified
24 that somehow Lower Saucon Township wants to force her
25 out and take her property is the gist of what I'm

1 suggesting. Now what ---.

2 MS. PETRIE:

3 No, that is not what I said.

4 CHAIR:

5 All right.

6 So somehow that the landfill or other
7 commercial endeavors are going to expand upon her
8 property.

9 MS. PETRIE:

10 That's my concern, yes.

11 CHAIR:

12 Okay, so ---.

13 MS. PETRIE:

14 They've offered to pay --- they've
15 contacted us to see if we want to sell.

16 CHAIR:

17 Lower Saucon Township?

18 MS. PETRIE:

19 No, the landfill.

20 CHAIR:

21 Okay. All right.

22 MS. PETRIE:

23 And I just say no.

24 CHAIR:

25 So --- so okay, all right. Just let me

1 address my questions here to the folks here that ---
2 that may be informed on this. Is Mrs. Petrie's
3 property zoned commercial? In other words, is it
4 light industrial for any other business purpose other
5 than RA or residential?

6 ATTORNEY TREADWELL:

7 Not now it's not.

8 CHAIR:

9 Okay, it's not.

10 Is Mrs. Petrie's property subject to a
11 conservation easement?

12 MS. PETRIE:

13 Yes.

14 CHAIR:

15 Does that conservation easement have a
16 third party beneficiary?

17 ATTORNEY TREADWELL:

18 I think so.

19 CHAIR:

20 Okay.

21 So in other words, as a result, and ---
22 and when Mrs. Petrie put her property into a
23 conservation easement, she received a lot of money
24 from the Township.

25 Correct?

1 MS. PETRIE:

2 A lot of money. \$400,000.

3 CHAIR:

4 Okay.

5 MS. PETRIE:

6 \$3,000 per acre for the building rights.

7 CHAIR:

8 All right.

9 So Mrs. Petrie, I know she's not at the
10 microphone, but she just called out to us that she
11 received \$400,000 from Township taxpayer money for the
12 conservation easements on her property.

13 Correct?

14 MS. PETRIE:

15 Correct.

16 CHAIR:

17 Is that right?

18 ATTORNEY TREADWELL:

19 I don't know the amount. If that's what
20 Mrs. Petrie says, I have no reason to ---.

21 CHAIR:

22 All right.

23 So as I understand it, her property is
24 not zoned for any commercial purpose and there are
25 conservation easements on her property. Do those ---

1 does the zoning and the conservation easements that
2 are on her property prevent her property from ever
3 being used for a commercial purpose?

4 ATTORNEY TREADWELL:

5 Yes.

6 CHAIR:

7 Thank you.

8 MS. PETRIE:

9 Just in July, you proposed rezoning it.

10 CHAIR:

11 All right.

12 MS. PETRIE:

13 Just in July.

14 CHAIR:

15 So --- so the next question I have is
16 there were comments that were made about criticizing
17 this Council for having a meeting at 9:00 in the
18 morning. And I would just offer the reminder that
19 this Council had a meeting on rezoning in a different
20 matter than what is before us today. And that meeting
21 occurred in December of 2022 at 6:30 p.m. And during
22 that meeting --- during that meeting, there were over
23 100 people that attended and many of them spoke.

24 And at that meeting, people were
25 complaining about the late hour that we were there

1 conducting the meeting. So it's very clear to me that
2 the timing of whenever we conduct a meeting is never
3 going to make everyone happy. And in some cases, the
4 people that complained about the meeting in December
5 and the time that complained about the meeting taking
6 place today at 9:00 in the morning so that we could
7 complete this meeting in a timely manner and allow
8 individuals to arrive, you know, in the morning on
9 their way to work, to perhaps stop by during lunch.
10 And we're going to continue on here into the
11 afternoon. And it's now almost 2:00 p.m. We've been
12 at this for five hours now.

13 PUBLIC MEMBER:

14 Respectfully, I just wanted to make that
15 clear.

16 CHAIR:

17 So, no you can step down. All right,
18 we're going to --- we're going to take a recess
19 because you're not being recognized and you're
20 interrupting what I'm saying. I've been respectful to
21 every single person who stood up at the microphone.
22 So I'm going to make a motion to go into recess for
23 another five minutes, and we'll stay here until
24 midnight, folks. I don't care.

25 PUBLIC MEMBER:

1 Not that long.

2 CHAIR:

3 Yeah, we'll go all day and all night
4 until Friday. But we're going to get this done today.
5 And if you allow us to say our part because people are
6 saying we don't have, we're not giving you
7 information, we're sharing information. I --- I
8 withdraw my motion because it seems like the offender
9 is standing down. So Linc ---.

10 PUBLIC MEMBER:

11 I'm not standing down. I would like to
12 --- I would like to ---.

13 CHAIR:

14 All right.

15 Then we're going to --- motion for
16 recess.

17 MR. CAROCCI:

18 I'll second.

19 CHAIR:

20 All right, second. Call the roll.

21 MR. HUDSON:

22 Ms. DeLeon?

23 MS. DELEON:

24 No.

25 MR. HUDSON:

1 Mr. Inglis?

2 MR. INGLIS:

3 Yes.

4 MR. HUDSON:

5 Ms. Yerger?

6 MS. YERGER:

7 Yes.

8 MR. HUDSON:

9 Mr. Banonis?

10 CHAIR:

11 Yes.

12 MR. HUDSON:

13 Mr. Carocci?

14 MR. CAROCCI:

15 Yes.

16 MR. HUDSON:

17 Motion passes.

18 CHAIR:

19 All right.

20 ---

21 (WHEREUPON, A SHORT BREAK WAS TAKEN DURING THE
22 PROCEEDING.)

23 ---

24 CHAIR:

25 It's now 2:01. I will make a motion to

1 take us back from recess and to call the meeting back
2 to order. Do I have a second?

3 MR. CAROCCI:

4 Yeah, I'll second.

5 MR. HUDSON:

6 Mr. Inglis?

7 MR. INGLIS:

8 Yes.

9 MR. HUDSON:

10 Ms. Yerger?

11 MS. YERGER:

12 Yes.

13 MR. HUDSON:

14 Mr. Banonis?

15 CHAIR:

16 Yes.

17 MR. HUDSON:

18 Mr. Carocci?

19 MR. CAROCCI:

20 Yes.

21 MR. HUDSON:

22 Ms. DeLeon?

23 MS. DELEON:

24 Yes.

25 MR. HUDSON:

1 Motion approved.

2 CHAIR:

3 All right.

4 Another question I have for Linc and or
5 Mark. Have we received the transcripts of any expert
6 testimony or have received any expert testimony in any
7 form with regard to the matters that are before us?

8 ATTORNEY TREADWELL:

9 No, we --- no. Holding this button down
10 is a pain in the --- we don't have any expert
11 testimony in regard to this public hearing. And
12 again, this is a legislative public hearing. This is
13 to receive input from the public, not necessarily from
14 expert witnesses.

15 CHAIR:

16 Okay. All right.

17 And then the last thing that I would
18 note is, you know, there's a consensus among the
19 people that are here that this is a prevailing view
20 within the Township. And I would point out that with
21 regard to this hearing, I think I counted a total of
22 20 people, 20, 2-0, people that have spoken out on
23 this issue. And we received another several emails,
24 10 or 11 I think it was. So in total, we have 30
25 people who have taken the time to either attend the

1 meeting and testify or send an email in on this issue.

2 And I would like to help quantify what
3 that represents. The population of Lower Saucon
4 Township is almost 12,000 people. So out of those
5 12,000 people, we've heard from roughly 30 people,
6 which represents I believe, 0.4 percent of the
7 population. And if we give the benefit of the doubt
8 that, you know, perhaps people couldn't come, they
9 certainly could have sent an email in or letter.

10 But you know, even in the interest among
11 those people who are not here is ten times as much,
12 that's only four percent of the whole township
13 population. So it's other, I think it's fair to
14 assume that the other 96 percent or so are either in
15 favor of rezoning or don't care about rezoning. And I
16 --- I know that that may, you know, it's certainly
17 something folks don't want to hear, but that's the
18 perspective that I have on the issue.

19 MR. CAROCCI:

20 I --- I agree with you.

21 CHAIR:

22 So, all right. So ---.

23 MR. INGLIS:

24 Jason, I have a question. Do you or Tom
25 or anybody up here receive any money, any favors,

1 anything from the landfill professionally, privately,
2 or anything?

3 CHAIR:

4 So I appreciate that question, Mark.
5 And I was actually going to introduce something. I --
6 - I can, I will attest and swear on a Bible that I
7 have not received anything of any value at any time
8 from Bethlehem Landfill or anyone affiliated with the
9 Bethlehem Landfill. And I would like to attach to the
10 record of this hearing a copy of the campaign finance
11 report for when I ran for election. And this is a
12 campaign finance report that was submitted on behalf
13 of Zavacky, Carocci, Banonis for Lower Saucon Township
14 Council. And it clearly shows that there was no money
15 that was donated by the landfill or anyone on behalf
16 of the landfill to our campaign.

17 To that point --- to that point --- to
18 that point, the total funds that were raised for that
19 campaign were \$17,661.55. And that funding came from
20 Lower Saucon Township residents primarily, who gave us
21 increments of \$50 or \$100 because they appreciated
22 what we hope to do on Council. And there is no
23 influence whatsoever from the landfill in that
24 campaign. And I want this attached to the record.

25 And, you know, I've been fairly lenient

1 in allowing people to offer up --- stand --- sir,
2 stand down. Sir, stand down. Sir, stand down.
3 Officer, I don't know who this man is or why he's
4 approaching, but have him stand down. Stand down,
5 sir. You are not recognized. Stand down.

6 So I have been fairly quiet on this
7 point for months of meetings, and I find it despicable
8 the lies that are spread by some, particularly someone
9 who's running for Council right now. We have a
10 litigation that's pending in Northampton County. It's
11 a defamation lawsuit. And I would also add to the
12 record for this case, the entire civil docket for this
13 defamation case, it's docketed at C-48-cv-2021-08193.

14 Every pleading that's attached to that,
15 including the Superior Court's order, is I want that
16 attached to this because it shows very clearly how
17 strongly we feel about these defamatory comments that
18 continue by people who don't know what the hell
19 they're talking about.

20 MR. CAROCCI:

21 I agree. I --- I also need to state
22 that I've never taken anything of value from the
23 landfill either, and so. I --- and I would swear
24 about as well.

25 ATTORNEY TREADWELL:

1 Let me --- let me ad ---.

2 MR. CAROCCI:

3 And I mean, I feel like some other
4 people need to be sued for defamation, quite frankly.

5 CHAIR:

6 And they very well may be.

7 MR. CAROCCI:

8 Yes, I --- I think we're going to attack
9 some people now.

10 ATTORNEY TREADWELL:

11 All right.

12 Now that the public testimony has ---
13 has concluded, and I think we've tried to answer any
14 questions or listen to the comments. I know,
15 Priscilla, you have something else, but ---.

16 CHAIR:

17 I do too.

18 ATTORNEY TREADWELL:

19 Okay.

20 I think, you know, and based on the
21 statement that Mr. Banonis just made, we have heard,
22 you know. We know there was litigation before. We
23 have heard from the audience that there's more
24 litigation coming. So I think it would be extremely
25 helpful in that context if we --- if we explain some

1 of the things that --- that, reasons why this Council
2 may decide to vote for this zoning change.

3 CHAIR:

4 That's where I'm heading. So Stacy,
5 could you pull up what I said to you as A?

6 STACY:

7 Document one? Document one you mean?

8 CHAIR:

9 The one that's titled Financial Impact
10 of Bethlehem Landfill Host Fees and Taxes to Lower
11 Saucon Homeowners. Folks, I --- I know that facts
12 like this hurt you, sort of like sunlight hurts a
13 vampire. But I --- I encourage you to please listen,
14 because maybe there are folks that are tuned in here
15 who don't share your views that may be interested in
16 hearing some of these details and what the effects
17 are. All right.

18 What we have here is some information
19 that I put together. And I think it's important for
20 Council to consider this and for the public to be
21 aware of it. And what many people may not know is
22 that the Bethlehem Landfill provides this Township
23 with approximately 30 percent of its budget on an
24 annual basis. It's a recurring annual fee that comes
25 in. That fee in 2022 was \$2.6 million. \$2.6 million,

1 it's the second highest source of revenue in the
2 Township, second to the earned income tax.

3 So what does that represent? So you may
4 have seen on your tax bills that there is a term
5 called a mill or millage. One mill equals \$430,000
6 across the Township's properties. One mil is \$100 on
7 each --- \$100,000 of assessed property value to your
8 homes. The money that that represents, that \$2.4
9 million represents six mill. That's six mill that we
10 get from the host fee from the landfill to Lower
11 Saucon Township. In addition to that, the Saucon
12 Valley School District, which is the school district
13 for Lower Saucon Township, as well as Hellertown
14 Borough, receives approximately \$400,000 in real
15 estate taxes from the landfill. That equals another
16 mill.

17 So the total of that is seven mill.
18 Seven mill would be the financial shortfall to Lower
19 Saucon Township and the Saucon Valley School District
20 without the Bethlehem Landfill host fees and taxes,
21 seven mill. Can you go to the next page?

22 Here's what it means. These are the
23 housing values of Lower Saucon Township homes. There
24 are 4,035 households in Lower Saucon Township. That's
25 as of 2020. That's according to the 2020 You Census.

1 The 2020 US Census also determined that the median
2 home value in Lower Saucon Township was \$300,000.
3 Comparatively, Lehigh Valley Planning Commission
4 identified 134 units that were sold in 2020 in Lower
5 Saucon Township, and the median sales price for those
6 units was \$340,000.

7 In addition to that, Zillow reflects
8 that in 2022 that the sales prices in Lower Saucon
9 Township increased 5.4 percent. Most recent data that
10 I could find on this subject was that the median sales
11 price in Lower Saucon Township in July of 2023 was
12 \$524,900. \$524,900. That is a 26.5 percent increase
13 in the median sales price from July of 2022 to July of
14 2023. And many of you probably know that your
15 property values have gone up considerably.

16 The Lehigh Valley Planning Commission has
17 identified that 3.3 out of ten Lehigh Valley
18 households are what they call cost burdened. And
19 there're, in the Lehigh Valley there are 81,391 homes,
20 households that are cost burdened. Can you go to the
21 next page?

22 The effect of that is looking at seven
23 mill on a 2023 median, \$500,000 home means that your
24 taxes are going to go up at least \$3,500. \$3,500.

25 MR. CAROCCI:

1 And that's every year.

2 CHAIR:

3 Every single year. And that is just on
4 the revenue side. We have had conversations, and as
5 many of you know from attending past meetings, we have
6 had conversations about the need for us to hire a
7 permanent, full time Township fire force. The days of
8 volunteer firefighters, unfortunately, are --- are
9 leaving us. We have great volunteers in this Township
10 who has served on this fire department for a number of
11 years, and they have provided safety to this
12 community. But the days of the volunteer firefighters
13 is unfortunately going away. They don't have time
14 because they have other commitments, and the nature of
15 --- of younger folks that are coming up do not have
16 that same sort of volunteerism mentality.

17 The consequence to that is we have
18 estimated that the cost to pay for a fire force will
19 be approximately equal to what we currently pay for
20 the police force. The police force part of our budget
21 is the single --- single largest item of expense for
22 the township. That is about \$2.5 million. So what
23 would happen here is we would lose \$2.6 million of
24 revenue, and we would have to add on to that \$2.5
25 million of expense. All right? That's a \$5 million

1 plus swing. I'm sorry, it would be a \$5 million plus
2 swing as a result of this.

3 So the consequence of that \$3,500 tax
4 bill that you see there? Double it. Okay? Double it
5 to \$7,000. Do you want to pay another \$500 per month
6 to car payment? It's probably more than your electric
7 bill. It's a lot of money that we're trying to not
8 have Lower Saucon Township taxpayers put out, and
9 every single household --- and there are those that
10 are going to be against it. And say, well you should
11 pay it anyway. Well then you can pay my \$7,000 tax
12 bill when it comes in if that's the way to feel.
13 Let's move on to the next page.

14 Facts versus speculation. Next page.
15 Facts. Landfills are a necessary part of our society
16 until we come up with another way to dispose of the
17 waste that we all generate. Every single person in
18 this room generates waste. I challenge you to prove
19 me wrong. You can't. Everybody does. And
20 particularly so after COVID with so much packaging and
21 materials being shipped to individuals homes.
22 Bethlehem Landfill has existed here in Lower Saucon
23 Township, and has operated in Lower Saucon Township
24 for a long period of time. It's been here for 80
25 years. There's no surprises. I'm not aware of a

1 single person who lived in the area of the landfill
2 before it ever existed. Next.

3 Bethlehem Landfill is inspected weekly
4 on average by DEP and the Township post municipal
5 inspector. If you attended any of the landfill
6 committee meetings, you would hear that the landfill
7 is inspected on average five times a month. Okay?
8 And these are not just cursory inspections. These are
9 checklists that DEP goes through and looks at a myriad
10 of different items. There's probably 200 different
11 items that are on the list in addition to what the
12 host municipal inspector does.

13 Bethlehem Landfill has had minimal
14 violations of DEP regulations. And consistent with
15 that, most recently, just a few months ago, DEP has
16 approved the Northern Realignment for the landfill.
17 Do you really think that if this landfill was running
18 in a haphazard way that DEP would endorse the Northern
19 Realignment expansion? There's no way.

20 We have quarterly meetings with, between
21 Lower Saucon Township in the landfill and we have work
22 meetings as needed. They are very open to us. There
23 are great lines of communication with Township staff.
24 Talking about the Bethlehem Landfill leachate. The
25 City of Bethlehem Wastewater Treatment plant processes

1 all landfill leachate in a closed system that does not
2 discharge into the Lehigh River. I will say it again,
3 in a closed system that does not discharge into the
4 Lehigh River. Compare that to the raw sewage that
5 gets put into the Lehigh River. Okay?

6 Landfill has multiple monitoring wells.
7 Those monitoring wells are monitored by DEP. They're
8 inspected by DEP. They're evaluated by DEP. There
9 are folks who stood up here and suggested that we not
10 consider DEP as being credible, worthy, competent to
11 monitor what takes place on the landfill. I couldn't
12 think of anyone that's more qualified to do it because
13 of their experience in these things.

14 There's a large portion of the methane
15 gas that comes off of this landfill that is a source
16 of renewable energy. I prefer renewable energy. Why
17 would we want to exploit other virgin renewable ---
18 virgin energies when we have a renewable source here?
19 This landfill will continue to give off natural gas.
20 That natural gas can be put into pipelines that go to
21 individuals homes, that power your hot water heater,
22 power your energy systems, that power your gas stove
23 and your fireplaces. Renewable methane gas can also
24 be used to power turbines that generate electricity
25 for thousands of homes in the Leghiah Valley.

1 And as I've already said in my earlier
2 comments, the landfill is a very significant source of
3 recurring annual revenue to the Township. Its
4 importance to the Township really speaks for itself.
5 The costs that we have in running this Township are
6 not going to decrease. Everyone here wants freshly
7 paved roads. Everyone here wants a robust police
8 force. Everyone here wants a robust fire force, folks
9 that are competent, highly trained, capable to respond
10 to emergencies. And we have that. But we need to be
11 financially responsible to maintain that going
12 forward.

13 We --- everybody here also wants to have
14 an open park system. The best parks, and I think we
15 have an excellent park system. This Council has been
16 committed to maintaining those recreational resources.

17 Everyone wants their --- their roads
18 plowed. I think that the roads have been plowed very
19 well by --- by Public Works. And just most recently,
20 in the storms that struck with the straight line winds
21 and the tornado, I received comments about how well
22 Public Works responded to those crises. To have
23 Public Works doing their job costs money. It costs
24 money to acquire the equipment that's needed to have
25 paving machines and dump trucks and everything else.

1 And we have a list of --- of capital equipment needs
2 that totals probably close to a million dollars.

3 Only six percent of Lower Saucon
4 Township land is zoned for something other than
5 residential and agriculture. I brought this up at a
6 prior meeting. Linc has talked about this and the
7 consequences if Lower Saucon Township does not have
8 enough space that's zoned for light industrial, that
9 we could have a substantive validity challenge that
10 would expose this Township to litigation. And
11 somebody commented earlier about litigation. I'm not
12 afraid of litigation. I don't think anybody on this
13 Council is afraid of litigation.

14 What we are concerned about, and I think
15 we have to be responsible of, is meritorious
16 litigation. Litigation that actually has validity.
17 And the litigation that we're involved in now, that's
18 against us. And to be clear, we are in only one case
19 where we are the plaintiff in the case. In every
20 other case, we are the Defendant. Okay? We cannot
21 choose when people choose to sue us. We can only
22 choose how to defend against these frivolous claims,
23 and we're continuing to do that.

24 With regard to the case where we're the
25 Plaintiff, in that case we're the Plaintiff because we

1 were kicked out of a library. OCL didn't give us due
2 process, and we're fighting to try to get Lower Saucon
3 Township residents full access to the Pennsylvania
4 Access System Library.

5 If we take out the \$2.6 million that
6 comes to the Township, this does not create an
7 economically sustainable model for the Township's
8 future. Our job on this Council is to make the hard
9 decisions that allow this Township to move forward in
10 a positive way, to create a quality of life that we
11 all enjoy. These aren't easy decisions that we make
12 on this Council, not at all. We recognize and we see
13 the pain and we see the hurt, but we also see the
14 misinformation and the propaganda and the polarization
15 of these issues. And that's really unfortunate
16 because that is what divides us as a community.

17 The other comment that I'd like to make
18 about this is if the landfill does close, as some have
19 proposed. Where does our trash go? We simply would
20 then have to ship our trash to another community. Our
21 problem would become their problem. What does that
22 do? It adds to truck traffic. We already have
23 tremendous truck traffic in the Lehigh Valley because
24 of all the warehousing and development and our
25 proximity to the ports in New York and major

1 metropolitan areas. We're going to have more trucks
2 taking trash out of the Lehigh Valley. Many, many
3 communities in the Lehigh Valley depend upon the
4 Bethlehem Landfill to provide a place for them to put
5 their trash. If that trash doesn't go in there, all
6 those trucks on the road going somewhere else.

7 Let me talk about some of the
8 speculation. We can go to the next slide. The
9 speculation, yeah, that one. You're going to ruin the
10 environment. Okay, I've --- I heard that, and I
11 appreciate your concerns about the environment. I
12 share the concerns. You may not think that I do, but
13 I do share those concerns. The state statutes and the
14 DEP regulations and the processes that are in place
15 are designed to protect as well as possible the
16 potential future environmental harm that is causing
17 that concern. Is it an absolute guarantee? No, but
18 we certainly can't guarantee anything better than what
19 DEP could do.

20 You're ruining --- you're ruining the
21 property values. It's somewhat speculative. Some
22 studies have reached that conclusion, and we need to
23 address that in an appropriate manner.

24 Next, we're ruining the quality of life
25 in Lower Saucon Township. This landfill has been in

1 Lower Saucon Township for a very long time, 80 years.
2 When you look at the Township as a whole, including
3 all the 11,000 plus almost 12,000 residents and over
4 4,000 households, the potential managed expansion for
5 the landfill will not ruin the quality of life of
6 Lower Saucon Township. You may feel differently, and
7 that's fine. We can have a difference of opinion.

8 After carefully considering the
9 potential zoning ordinance amendment and all the
10 comments over the past years, I've concluded and I've
11 --- I would urge my colleagues here on Council to
12 conclude that the adoption of the Ordinance 2023-05 is
13 in the best interest of the Township as a whole. As a
14 whole. I recognize that some people may not be happy
15 with it, but as a whole I believe that it's the best
16 decision.

17 I further believe that the benefits
18 associated with potential future industrial
19 development outweigh the mostly speculative offered
20 harms. I also continue to have confidence that DEP
21 will provide the appropriate oversight for any
22 potential expansion and any possible environmental
23 harms associated with the construction and operation
24 of the landfill. DEP is the more appropriate and
25 qualified agency to evaluate and address those issues.

1 I've also carefully considered and balanced the
2 township's residents' rights concerning health and
3 safety with the interests of the vast majority of
4 Township residents who will rely upon the benefits
5 from the landfill.

6 I feel strongly that I've investigated
7 the questions, and I've ascertained what I think is in
8 the best good of the people of Lower Saucon Township.
9 I also appreciate the comments of Lower Saucon
10 Township residents and taxpayers. You may not think
11 that I do, but I really do. I also appreciate the
12 positions of the nonresidents and non-taxpayers who
13 shared the views on lower Saucon township affairs. I
14 recognize that I will never, ever make everyone happy.
15 There will always be critics to what I do and do not
16 share the views that I have or fully understand or see
17 the issues as I do.

18 But that's what makes this country
19 great, or at least used to. We can have a spirit of
20 debate. We can have a conversation about these
21 things, and we can agree to disagree and move on.
22 Unless anyone else has any comments, I'm ready to make
23 a motion.

24 MR. CAROCCI:

25 I'll --- well, I have a comment. I ---

1 I echo what Jason says there. It's very well said,
2 and I think there's plenty of reasons to approve this
3 rezone.

4 MS. DELEON:

5 Jason, you were supposed to call me for
6 another item ---.

7 CHAIR:

8 I wasn't listening. I didn't recognize
9 anybody. All right.

10 Mark, do you want to start? Do you want
11 to add anything to what I had said?

12 MR. INGLIS:

13 Basically all I have to say is thanks
14 for everyone for coming out and speaking. But there
15 are a whole other bunch of people that speak the
16 opposite of what you guys speak, and we hear it all.
17 They don't choose to come, for better or worse. And I
18 think you're naive to think there is nobody that
19 supports this. I really do, because there are a lot
20 of people that do.

21 I went out for my primary and got 35
22 signatures, or 30 signatures, whatever it was, within
23 an hour. And every single one of them said good job,
24 keep it going. But my point is, that's as many as
25 people that showed up to talk told me that day. So I

1 have to go by what --- what people tell me.

2 And the other thing, as far as the DEP,
3 some people have questioned them. Well, I'm certified
4 in fertilization from the DEP. And if you get them up
5 your butt, you get a big problem. And I find them to
6 be pretty competent, and they're bullies. So if you
7 do something wrong, they're going to get you. And are
8 they perfect? No. But they do do a pretty good job.
9 And I can tell you that from firsthand experience.

10 There's developers I know. If they
11 don't put the proper silt stacks in and everything
12 else, and it goes down to the river, they get in a lot
13 of trouble. There's fines, there's a lot of problems,
14 and it's overkill with what they have to do to fix the
15 problem. These are just some of my experiences with
16 some of the things that have been talked about.

17 And I believe there's a false narrative
18 going on from a lot of people that come up here and
19 speak. As Jason said, we sit up here and we take it.
20 We don't say too much. We just sit up here and
21 listen. But there's a lot of falsehoods that are
22 being spoken, and I think he pointed out a lot of
23 those things right there. So, no, we do not sit up
24 here feeling like gods and kings and everything else.
25 We feel like we're doing the right job for the future

1 of the Township, not next year or two years or three
2 years. Five, ten, 15, 20 years down the road this
3 money is going to be needed to sustain the quality of
4 life that we have here now. That's just basic
5 business.

6 And from being in business for 40 years,
7 I kind of understand future growth. And in fact,
8 every one of us up here has been doing the same job
9 for a lot of years, so we tend to make the right
10 decisions a lot of times. That's pretty much my
11 opinion on what's transpired. And thanks, Jason, for
12 a nice --- a nice speech there.

13 CHAIR:

14 All right, Sandy?

15 MS. YERGER:

16 Yeah. I don't always, Jason knows I
17 don't always 100 percent agree with him, but overall,
18 he does do a great job. And it's not easy, his
19 position. I don't envy him at all. We've dealt with
20 a lot of controversial issues recently, and that
21 doesn't make his job any easier.

22 The landfill has always been a
23 contentious issue when it has come before Council
24 before. I've been on it long enough to have
25 encountered it once before, and I do feel for the

1 people, believe me. I understand the need to keep the
2 natural areas natural and things like that. So, but
3 there's a balance.

4 And my other thing is we all produce
5 garbage, as was mentioned before. I do. You do.
6 Everybody does. And for the most part, this landfill
7 has followed all the rules and the regulations and has
8 --- has been approved by DEP. They do get inspected,
9 they pass their inspections, and I would rather see it
10 go there than dump somewhere where nobody gives a
11 darn, because there's more environment than just ours
12 here. We're --- we're part of a large nation that
13 produces a lot of garbage. So I think it, and it will
14 have to end because we can't continue the expansion
15 indefinitely. That I'm very much opposed. That I
16 agree with, but for now, to give us time to find
17 another basis of revenue, hopefully for the Township.
18 I think a short and a small expansion, and that'll
19 come up a little later from me is what we need at this
20 moment.

21 CHAIR:

22 Linc, do you want to add anything as we
23 go down the line?

24 ATTORNEY TREADWELL:

25 No.

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CHAIR:

All right, Mark?

MR. HUDSON:

Nope.

CHAIR:

All right, Priscilla.

MS. DELEON:

Yes. Thank you. This was written back in June of 2012 when the landfill was proposing a rezoning in the western part of the Township, and it has always stuck with me. It was written by a resident of Steel City, and I'm going to read it.

What will we do? What will we do in 30 years when there was no more Lower Saucon Township space for the landfill to go? What will you think when you drive down Applebutter Road, look to the left and see not a single person working, not a tree, not a house, not a mountain, not a historic building, not a business, not a piece of a community? All you will see is a green wall that can never be developed again.

What will we do when all the host agreement money is blown like it has been and this land can never make money for the Township again? What will we do? Where is the money going to come from to maintain what we have and what we will acquire

1 in 30 years? It will not come from a business on
2 Applebutter Road.

3 What will you think when your Township
4 residents come to complain about the quality of life
5 issues for the next 30 years like they have for the
6 past 60 years? Will you be at peace with your
7 decision in 30 years? What will our kids and our
8 grandchildren do with Lower Saucon Township in 30
9 years after this mess has been made? What we do now -
10 -- what we will --- what will we do now to stop this?

11 Keep the zoning how it is. Make all the
12 mountain up Skyline Drive an open --- an open space.
13 Promote the land from Skyline Drive down to a business
14 that is willing to keep some of the historic
15 structures and incorporate them into the property.
16 Whether it is a hospital, nursing home, office space,
17 small manufacturing buildings, retail stores, some
18 kind of business that would blend in with the
19 industrial properties, with the residential and
20 natural resource areas. These types of business will
21 provide money for the Township forever. It will close
22 up a new one so that another one can take its place.

23 As for the mountain, you can make a
24 trail right up the mountain from where the Saucon
25 Creek dumps into the Lehigh River. Follow the power

1 lines up the mountain. This will be a very low
2 maintenance hiking trail. You can make this trail as
3 far as Easton following the river. There are some
4 beautiful views along --- up there along with plenty
5 of wildlife.

6 Everyone in the township needs to bend a
7 little bit from the people that live on Saucon Valley
8 Road to people that live in Steel City. We are all
9 neighbors working hard for our families and enjoying
10 living in this Township. It's not right to sacrifice
11 a whole community for the supposed good of the rest.
12 What the rest doesn't realize is what will happen in
13 30 years. We will and already have started explaining
14 the facts to everyone. Please do your research and
15 make your decision based on the future, not only ours,
16 but on generations after us, Matt McClaron (phonetic).

17 And with that, I'd like to table this
18 ordinance until we get studies done. So I'd like to
19 make that motion.

20 ATTORNEY TREADWELL:

21 During the public hearing, Priscilla.
22 While --- while the public hearing is for public
23 comment, and it when we get to the ordinance, which is
24 on the agenda later, then you can make that motion.

25 MS. DELEON:

1 But anyway, I just wanted to share those
2 thoughts.

3 CHAIR:

4 Okay. Thank you. Do you yield?

5 MR. CAROCCI:

6 Just ---.

7 CHAIR:

8 Tom --- Priscilla, are you done?

9 MS. DELEON:

10 Yes.

11 CHAIR:

12 Okay, Tom.

13 MR. CAROCCI:

14 You know, in all these meetings since
15 really, you know, December, no one has stood up and
16 said that they predated the landfill. Meaning, they -
17 -- they owned their house before the landfill and
18 started there. And the other thing is, no one has
19 said what we're supposed to do with trash. Even the
20 Lehigh Valley Planning Commission said we're going to
21 have to build a lot more housing. It'll be a lot more
22 traffic and a lot more trash.

23 And so, you know, I feel a lot of people
24 that are opposing this are simply just not in my
25 backyard. They're not environmentalists. They just

1 want to send it to somebody else's backyard. It's
2 just a not in my backyard argument because nobody has
3 said, given us --- given me a suggestion as to what
4 we're supposed to do with all this --- all this trash.

5 And as far as the out of state trash is
6 concerned, Linc could you just give a brief synopsis
7 of the interstate commerce clause in the United States
8 Constitution? And how we are not allowed to restrict
9 interstate commerce? And no --- no township is, no
10 entity is?

11 ATTORNEY TREADWELL:

12 I --- are you asking me for a brief
13 synopsis of the United States Constitution?

14 MR. CAROCCI:

15 Yes, I am.

16 ATTORNEY TREADWELL:

17 Is that what you're asking me?

18 MR. CAROCCI:

19 Well, Linc, now's your chance. Some ---
20 some people think --- some people said you weren't an
21 attorney today. So now's your chance to really show
22 them.

23 ATTORNEY TREADWELL:

24 My junior --- my junior high law degree
25 might not allow me to do that. However, the

1 interstate commerce --- municipal solid waste is
2 interstate commerce. The Supreme Court has said that.
3 Interstate commerce is governed by the interstate
4 Commerce Clause. You cannot, Pennsylvania cannot
5 prohibit interstate commerce, which municipal waste
6 is. So you do not have the legal authority to stop a
7 landfill located in Pennsylvania from taking waste
8 from out of state because you would be interfering
9 with interstate commerce. Period.

10 CHAIR:

11 What would be the consequence of that if
12 we tried to stop? That's probably the better
13 question.

14 ATTORNEY TREADWELL:

15 You know what? That --- that's ---.

16 MR. CAROCCI:

17 Good question too.

18 CHAIR:

19 I ask for your speculation on it.

20 ATTORNEY TREADWELL:

21 That's even more speculative, but ---
22 but my guess would be financial damages. I mean it's,
23 how do you --- to --- you'd have to adopt an
24 ordinance, right? So you would adopt an ordinance,
25 let's think this through. You would adopt an

1 Ordinance saying we refuse to allow the Bethlehem
2 Landfill to take municipal waste from New York, New
3 Jersey, or any other state.

4 MR. CAROCCI:

5 Yes, correct.

6 ATTORNEY TREADWELL:

7 Right? In which case, the Bethlehem
8 Landfill would presumably lose revenue. Which I would
9 think that the Bethlehem Landfill, not to speak for
10 them, but if I were the Bethlehem Landfill, what I
11 would do then would be to come back and sue the
12 Township, probably under Section 1983 of the US Code
13 for violating my constitutional rights, for not
14 allowing me to take out of state waste, and asking for
15 damages in the amount of profit that I lost.

16 CHAIR:

17 Including attorney's fees?

18 ATTORNEY TREADWELL:

19 Absolutely. Well 1983, including
20 attorney's fees.

21 MR. CAROCCI:

22 Yeah, right. But, thank you. And
23 again, it appears not one person since December when
24 we've been having these discussions have stood up
25 atold me what I'm supposed to do with my trash. I

1 think these people just put it in their trash cans at
2 the curb, and they think it just disappears the next
3 morning. It doesn't disappear. It goes to a
4 landfill. And you just don't want it in your
5 backyard. You just don't want it in your backyard.
6 You can at least be intellectually honest about it.

7 And so, you know, I support what Jason
8 said and I support his motion. I think --- if he made
9 a motion.

10 CHAIR:

11 All right. Does that ---?

12 ATTORNEY TREADWELL:

13 No, I'd like to --- I'd like to point
14 something else out, too, before we close the public
15 hearing. That, you know, I've been through multiple
16 different public hearings on rezonings in various
17 different townships, and I don't remember one instance
18 where there was ever an expert that discussed what the
19 potential effects of the rezoning would be. Because
20 the rezoning is just on paper. The only thing the
21 rezoning does is what you see on that map there. If
22 that map was in color and one was blue and one was
23 green, the green would be turning to blue. It's on
24 color.

25 All the environmental, potential

1 environmental impacts or any other impact comes when
2 there is a specific use proposed for the property.
3 Not changing it from one zoning designation to
4 another. I'm not going to sit here and tell you that
5 changing it from one zoning designation to another
6 does not allow for different uses. It does. But
7 changing the zoning in and of itself does not have an
8 environmental impact.

9 MR. CAROCCI:

10 Thank you.

11 CHAIR:

12 All right, thank you.

13 Unless there's anything else from
14 Council, I will make a motion to close public hearing
15 for Ordinance 2023-05, the proposed ordinance --- do I
16 have to read the whole preamble?

17 MR. HUDSON:

18 No.

19 CHAIR:

20 All right.

21 A motion to close public hearing for
22 Ordinance 2023-05.

23 MR. CAROCCI:

24 I'll second.

25 MR. HUDSON:

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Ms. Yerger?

MS. YERGER:

Yes.

MR. HUDSON:

Mr. Banonis?

CHAIR:

Yes.

MR. HUDSON:

Mr. Carocci?

MR. CAROCCI:

Yes.

MR. HUDSON:

Mr. DeLeon?

MS. DELEON:

Yes.

MR. HUDSON:

Mr. Inglis?

MR. INGLIS:

Yes.

MR. HUDSON:

Motion passes.

* * * * *

MEETING CONCLUDED AT 2:38 P.M.


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CERTIFICATE

I hereby certify, as the stenographic reporter,
that the foregoing proceedings were taken
stenographically by me, and thereafter reduced to
typewriting by me or under my direction; and that this
transcript is a true and accurate record to the best
of my ability.

Dated the 14 day of September, 2023



Ian Weeber,
Court Reporter