

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, January 20, 2016 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

ROLL CALL: Present: Ron Horiszny, President; Sandra Yerger, Vice President; Priscilla deLeon, Donna Louder and Glenn Kern, Council members; Leslie Huhn, Acting Township Manager; Linc Treadwell, Township Solicitor. Jr. Council Member: Rachel Panek. **Absent:** Judy Stern Goldstein, Planner and Brien Kocher, Engineer.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Horiszny said Council did not meet in Executive Session since the last meeting.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Horiszny said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones. He asks that you give your fellow public the courtesy of the floor. We ask that you state your name for the record so the transcriptionist knows who is speaking in the minutes. If you are up at the table, please speak into the microphone. Mrs. Huhn said Item III. A. John & Susan Blair has been tabled to the February 3rd agenda.

III. DEVELOPER ITEMS

A. JOHN & SUSAN BLAIR – 1988 FRIEBLEY AVENUE – SITE PLAN FOR CRAFT SHOP

Tabled until February 3, 2016 so the neighbors can be notified of this particular action.

IV. TOWNSHIP BUSINESS ITEMS

A. APPROVAL OF SAUCON VALLEY COMMUNITY CENTER AGREEMENT FOR THE 2016 ADULT/SENIOR PROGRAM

Mr. Horiszny said the agreement has been drawn up and the total cost of the program is \$16,219.00. Mrs. Huhn said this was approved in the 2016 budget and it's payable in two installments of \$8,159.50.

MOTION BY: Mr. Horiszny moved for approval of the Saucon Valley Community Center agreement for the 2016 adult/senior program at a cost of \$16,219.00

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

B. RESOLUTION #29-2016 – RIGHT-TO KNOW POLICY

Mr. Horiszny said this has been prepared appointing the Acting Township Manager as the Right-to-Know Officer.

MOTION BY: Mrs. Yerger moved for approval of Resolution #29-2016 appointing the Acting Township Manager as the Right-to-Know officer.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

C. RECOMMENDATION OF APPOINTMENTS TO THE PLANNING COMMISSION, YARD WASTE COMMITTEE AND PARKS & RECREATION BOARD

Mr. Horiszny said Mrs. Huhn is recommending appointment of Haz Hijazi to the Planning Commission for a four year term ending at the reorganization meeting in January 2020; J. Preston Werner to the Yard Waste Committee for a term of one year ending at the reorganization meeting in January 2017 and Niloofar Aflatooni to the Parks and Recreation for a one year term ending at the reorganization meeting in January 2017. Mrs. deLeon said the Administrative Code states all of our terms run to the first Monday in January and asked that we change it per the code.

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MOTION BY: Mrs. deLeon moved for approval of the three appointments as stated above.
SECOND BY: Mrs. Louder
ROLL CALL: 5-0

D. SAUCON VALLEY CONSERVANCY – REQUEST FOR TREE REMOVAL IN THE HELLER HOMESTEAD BARN RUINS AND REPAIRS TO WIDOWS HOUSE

Mr. Horiszny said the SVC has a price quote from All Seasons Tree Care for \$3,925.00 for removal of seven trees. A quote has been received from Glen Zimpfer Roofing. Mrs. Huhn said she has a clarification for the Zimpfer quote. It is for the Widow's House porch and the Heller Homestead sunroom window. He's combined two repairs into one quote. We received two quotes for the work and Zimpfer Roofing was lowest.

Mrs. deLeon said she doesn't have a problem with the trees, but she'd like to ask Council to hold off on the second part of this because she'd like to go with Roger and Leslie when they meet with this guy and understand how he's going to fix it. She said a friend of hers said the staining on the sunroom might be because the two stones may be cracked and water's gotten in there. Mrs. Huhn said she will speak with Roger to set up a meeting.

MOTION BY: Mrs. deLeon moved for approval of the price quote from All Seasons in the amount of \$3,925.00 for the tree removal in the barn ruins, which was in the budget.
SECOND BY: Mr. Kern
ROLL CALL: 5-0

E. REVISIONS TO RESOLUTION #18-2016; #19-2016 AND #21-2016

Mr. Horiszny said there was a misstatement in the resolutions involving longevity pay. The resolutions were changed to read "in addition to the salary" and not "included in the salary".

MOTION BY: Mrs. deLeon moved for approval of Resolution #18-2016 for the Assistant Manager's salary for 2016 at \$66,064.17, plus an additional longevity pay capped at \$350.00.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

MOTION BY: Mrs. deLeon moved for approval of Resolution #21-2016 for the Director of Public Works salary for 2016 at \$66,850.43, plus an additional longevity pay capped at \$750.00 and an additional \$2,000.00 stipend for MIS duties.
SECOND BY: Mrs. Louder
ROLL CALL: 5-0

MOTION BY: Mr. Horiszny moved for approval of Resolutions #19-2016 for the Police Chief's salary for 2016 at \$90,491.82, plus an additional longevity pay capped at \$1,746.00.
SECOND BY: Mrs. Yerger
ROLL CALL: 3-2 (No – Mrs. deLeon and Mrs. Louder)

F. AUTHORIZE ADVERTISEMENT OF LAWN MOWING BID

Mr. Horiszny said the lawn mowing contract has expired. Staff is requesting to advertise for bids. Mrs. deLeon said we don't have any draft to look at. Mrs. Huhn said it's based on the Park Maintenance policy in place. She will provide Council a list of what will be bid on. It's broken out by each park.

Mrs. Louder said she knows Hellertown has a lot of lawn care equipment and LST has a lot of street repair equipment and we've been helping each other on different ends. She's wondering if we'd be able to see if Hellertown PW would be interested in helping us with the parks? Mrs. Huhn said we can reach out to them and bring it back to the next meeting. This will be tabled.

Mrs. Yerger asked if Mrs. Huhn got any feedback from B&J from the management plan of Woodland Hills? Mrs. Huhn said it's nearing completion. Mrs. Yerger said that's going to address

the amount of mowing as far as moving forward with the maintenance. Mrs. Louder said even if Hellertown wouldn't give us mutual aid for all, it might still save the Township money. Mr. Kern said there is a good amount of goodwill between Hellertown and LST as far as cost savings for combining forces.

G. APPROVAL TO ENTER INTO PORTABLE RESTROOM AGREEMENT

Mr. Horiszny said the Township's current portable restroom supplier raised their monthly rates. The staff has several phone quotes from other vendors. Mrs. Huhn said we are asking Council approve the authorization to change vendors. Johnny on the Spot came in with the lowest rate based on ADA and regular units with no delivery charge. Mrs. Louder asked where these units are placed? Mrs. Huhn read the list of units and their locations. Mrs. Louder asked the status of the composting toilet. Mrs. Huhn said the Dir. of Finance is working with the manufacturer to see if it can be relocated.

MOTION BY: Mrs. Louder moved for approval to have the Acting Township Manager enter into a contract for port-a-john services with Johnny on the Spot at the rate of \$79.50 for ADA and \$55.50 for a single unit, per month.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

H. PENNEAST PIPELINE UPDATE

Mrs. deLeon said she tries to touch base with the residents to see what's going on. Mr. Tom Rowe contacted her and shared the map he received. He has property along Easton Road, where there's a UGI facility and the Hellertown lateral is going to connect with them. Mrs. Yerger said these are changing on a daily basis, but she had something forwarded to her by the National Park Service as they are reviewing all of the PennEast pipeline route. A colleague forwarded her a map and it doesn't even show the expansion. It lists there are still four to five changes that are represented and none are in Northampton County. What disturbs her is the way it is illustrated on the map as it doesn't even represent the lateral station at all. Mrs. deLeon said the map they are looking at could change and they don't get to review it again. They want to put in a retention basin by Mr. Rowe's barn. He keeps telling them they need to move the basin. Mrs. Yerger said it did not define the expansion of the station itself. Mrs. deLeon said she thinks Columbia Gas owns it, but the five to six acres are his land. This is in the Act 319 protection and they were interested in buying the land. Mrs. Yerger said what has been publicly noted is the majority of land that PennEast Pipeline is going through is preserved lands. Mrs. deLeon asked if the Township could send a letter to PennEast and say they really need to respond to our residents and be more courteous and copy it to FERC. Mrs. Yerger said the detention basin, it's sort of an auxiliary use caused by their expansion, do they have the right to eminent domain? Attorney Treadwell said the first question is the expansion of the Columbia Gas facility as well. He doesn't know if that's part of the pipeline project and may be why it's not shown on the pipeline map as this map we have doesn't tell us who is going to own the expanded facility. He's going to guess it's not the pipeline company. Mrs. Yerger said we also have subdivision rules.

Kathy McGovern, Lower Saucon Road, said PennEast still doesn't know where the pipeline is going to be so for a landowner, it's 400' on your property which could go either way. Regarding the eminent domain, there have been no calls from anyone to discuss anything. If this is approved, she doesn't know if they are just going to take your property. Her property will be greatly affected. Mrs. deLeon said let's do a letter to tell them not to treat our people that way and do their job better. Attorney Treadwell said we can talk to Attorney Elliott to see if he can figure it out and get some answers.

Atom Kallen asked if Council was in touch with other Townships to see how they are treating their residents. Mrs. deLeon said the people in NJ are really fighting this and PennEast is not treating them good. Mrs. Yerger said NJ is looking at 12 pipelines coming through there. NJ is ahead of us in investigating the legalities, maybe we need to reach out to them. Mrs. deLeon was concerned

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with the Redington historic site. Mrs. Yerger said she will take a look at that. Mrs. deLeon said we need to know what's going on at the Lehigh River also.

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JANUARY 4, 2016 MINUTES

Mr. Horiszny said the minutes of the January 4, 2016 Council meeting are ready for Council's review and approval. Mrs. deLeon said she has a correction when we approved all the appointments and she voted no on the Planning Commission appointment, page 6. Her reason for voting no was that she didn't want to vote for Mr. Maxfield. She didn't have a problem with anyone else.

MOTION BY: Mr. Horiszny moved for approval of the January 4, 2016 minutes, with corrections.

SECOND BY: Mrs. Louder

ROLL CALL: 2-3 (Mr. Horiszny, Mrs. Yerger and Mrs. deLeon – No). Motion failed.

Mr. Horiszny said he still doesn't think we have to follow Robert's Rules as Mrs. deLeon says. Mr. Kern said we followed a loose interpretation of Robert's Rules when things were out of order.

B. APPROVAL OF DECEMBER 2015 FINANCIALS

Mr. Horiszny said the December 2015 financials have been prepared and are ready for Council's approval. Mr. Horiszny noted one item is almost \$7,000 for legal fees we spent on the pipeline and landfill.

MOTION BY: Mrs. deLeon moved for approval of the December 2015 financial reports.

SECOND BY: Mr. Horiszny

ROLL CALL: 5-0

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS – None

VII. COUNCIL & STAFF REPORTS

A. ACTING TOWNSHIP MANAGER

➤ Mrs. Huhn said the EAC reorganized at their January meeting. This is then brought to Council for their approval. Mrs. Sandra Yerger was appointed Chair.

MOTION BY: Mr. Horiszny moved for approval of Sandra Yerger as Chair of the EAC.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

➤ Mrs. Huhn said she was provided by the PD a PPL street light authorization that needs to be executed. PPL is requesting authorization to install street lights at 2108 Snyder Avenue and 2081 Ivy Wood Avenue in Steel City. These would be upgrades in service. They are looking for approval for installation, based on notifying the surrounding property owners that street lights are being installed. Mrs. deLeon asked if there are street lights there now. Mr. Kern was wondered if the current residents are aware of this situation? Mrs. Huhn said she doesn't believe the residents have been contacted. That's why we should reach out to them. Mrs. deLeon agrees. Mrs. Huhn said the Township pays for the electric and it's about \$12.30 a month per light. Attorney Treadwell suggested getting a google map. Atom Kallen, resident, said he would like to find out if there's a specific reason they are going there. He likes the fact that there aren't many street lights in Steel City, unless it's for a safety reason. Mr. Kern asked if the majority of the residents were not in favor of having a street light there, what's the process involved? Attorney Treadwell said the Township and this Council control where they go. It appears that this is an old request, but no one remembers discussing it. Mrs. Huhn said they will put a letter together along with a map and bring it back to Council.

➤ Mrs. Huhn had a request for the pavilion rental at Town Hall for July 16th for amplified music. There will be a DJ from 2 p.m. to 5 p.m. Our ordinance states sound amplification must be in accordance with Chapter 112. This is a Council decision, which you have approved them in the past. We've never had any residential complaints.

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MOTION BY: Mr. Horiszny moved for approval of the request for the pavilion rental on July 16th with amplified music from 2 p.m. to 5 p.m.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

- Mrs. Huhn said we received, via email, a response from DEP Secretary John Quigley to Senator Boscola's letter in regard to the shutdown of BRE. He stated BRE is conducting inspections of the tanks and DEP was on sight on January 11th to verify the information. Mrs. deLeon said it would have been nice to see past DEP reports from BRE. She would like to do a follow-up and respond to Mr. Quigley letter and see if we can be copied on these inspection reports. Mrs. Huhn will contact Sec. Quigley.
- Mrs. Huhn said we talked about LVIP VII, Phase 3, Lots 53 and 56 at the last meeting, Council directed her to reach out to the City of Bethlehem to request an extension regarding the Easton Road major subdivision. She received a call from Tracey Samuelson who indicated that if the City receives our comments by February 4th, they will go in their P/C packets for their February 11th meeting. This is on our P/C agenda January 28th.
- Mrs. Huhn provided Council with a photo of our deteriorating dog waste stations. Roger and PW has done an inspection of the dog waste stations and recommends replacing seven existing ones we have at the Dog Park and various locations and adding three additional waste containers at the trail access and Polk Valley Park for those walking their dogs. The pricing was \$2,178.00 for all ten stations and it would come out of park maintenance fund.

MOTION BY: Mrs. Yerger moved for approval of the ten dog waste stations at a price of \$2,178.00.

SECOND BY: Mr. Horiszny

ROLL CALL: 5-0

B. COUNCIL/JR. COUNCIL

Rachel Panek, Jr. Council

- She reported last time about a fire that happened to one of her classmates. His name is Shawn and they are living out of the district, and won't be able to get back into their home. The family has been getting a lot of food, clothing and gift cards.
- They have a new assistant principal who taught in the Philly area.

Mrs. Yerger

- She said the Ken Zinnis who works for Northampton County recycling attended the EAC meeting and said last year was the first year we hosted a latex based paint event it was very successful. He has requested we consider doing another event at the Township. Mrs. deLeon said we belong to Discover Lehigh Valley and we should publicize these events.

Mrs. deLeon

- She attended a Hellertown-Lower Saucon mixer at Revolutions. She attended a Hellertown-Lower Saucon Round Table meeting held at the Library. On Wednesday, January 27th the Chamber is having their board meeting.
- The SVP met last week and discussed Community Day. Most of the volunteers have retired and there may not be a Community Day this year. A meeting to discuss this is scheduled for Tuesday, January 26th at 7:00 p.m. at Hellertown Borough. Rachel Panek suggested that National Honor Society students might like to volunteer for their community services hours for Community Day.
- Donna and Priscilla attended a Newly Elected Supervisors training. At the training they were asked for ideas for future training and she suggested the optional form of government home rule which we follow over the Second Class Township Code. It would be nice for the Township to reach out to PSATS and see if they could teach about how the optional plan works, sunshine laws, and the government process. She would like the Manager to contact PSATS to try to set something in May. Mr. Horiszny said government week is in April and we can try and do something that also.

MOTION BY: Mrs. deLeon moved to have the Manager contact PSATS and set something up with them in May to come to the Township and talk about the optional form of government, home rule and the government process.

SECOND BY: Mrs. Yerger

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Mr. Kern

- He said in addition to the letter that we ask the Acting Township Manager to send to PennEast, he'd like to request that she establish a meeting with PennEast in the month of February at Town Hall to include representatives from PennEast and Township staff in order to discuss the plans as to what's going on. Mrs. deLeon asked that this be included in the same letter.

Mrs. Louder

- She said it's nice to have a full Council and see the Township is becoming a whole. She'd like to set some time aside with Council to see what we can do as far as the Manager's position to complete the Township.

Mr. Horiszny

- He said he wanted to have an Executive Session about the Manager position prior to the next meeting.
- He said LSA met last night and outlined some of the work for summer 2016.

- C. **SOLICITOR** – No report
- D. **PLANNER** – Absent
- E. **ENGINEER** – Absent

VIII. ADJOURNMENT

MOTION BY: Mrs. Yerger moved for adjournment. The time was 8:27 pm.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Acting Township Manager

Ron Horiszny
Council President