

I. OPENING

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

II. PRESENTATIONS/HEARINGS

III. DEVELOPER ITEMS

- A. Estates at Saucon Woods – King’s Mill Road – Authorization to Enter Into Maintenance Period

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variances
 - 1. VNA of St. Luke’s Home Health/Hospice – 2455 Black River Road – Variance Request for Additional Signage on Exterior Wall of Building
 - 2. AT&T Wireless Cell Tower – 1995 Leithsville Road – Special Exception to Increase Tower Height and Variance Request for Distance from Property Line
- B. Saucon Creek Dam Removal – Submission of DEP Permit Application
- C. Resolution #74-2018 – Accepting Deed of Dedication for Pavelcze Minor Subdivision – Friedensville Road
- D. Resolution #75-2018 – Transfer of Funds
- E. Heller Homestead – 1890-1892 Friedensville Road – Bid Award for Masonry Repair of Porch/Steps
- F. Woodland Hills Preserve – ADA Loop Trail/Pond Boardwalk & Stream Buffer Plantings – Restoration – Request to Authorize Advertisement of Bids

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of July 18, 2018 Council Minutes

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

- A. Township Manager
- B. Council
- C. Solicitor
- D. Engineer
- E. Planner

VIII. ADJOURNMENT

UPCOMING MEETINGS

Parks & Recreation: August 6, 2018 @ Easton Road Fields
Saucon Valley Partnership: August 8, 2018 @ HB
Environmental Advisory Council: August 14, 2018
Zoning Hearing Board: August 20, 2018
Planning Commission: August 23, 2018
Saucon Rail Trail Oversight Commission: August 27, 2018 @ CB
Township Council: September 5, 2018

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, August 1, 2018 at 7:02 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Sandra Yerger, presiding.

ROLL CALL: Present: Sandra Yerger, President; Priscilla deLeon, Vice President; Donna Louder and Ryan Stauffer, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Judy Stern Goldstein, Township Planner; and Brien Kocher, Township Engineer. Absent: Glenn Kern, Council Member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Attorney Treadwell said they met in Executive Session this evening to discuss the potential purchase of a conservation easement and if Council chooses, the next step would be to order an appraisal for the property identified as EAC Property No. 2018-1, not to exceed \$3,500.

MOTION BY: Mrs. deLeon moved for approval to order an appraisal for Property No. 2018-1, not to exceed \$3,500 which comes out of the Open Space Fund.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mr. Kern – Absent)

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. Yerger 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 and state your name for the record. She asks that you give your fellow public the courtesy of the floor.

II. PRESENTATIONS/HEARINGS – None

III. DEVELOPER ITEMS

A. ESTATES AT SAUCON WOODS – KING'S MILL ROAD – AUTHORIZATION TO ENTER INTO MAINTENANCE PERIOD (7:05 p.m.)

David Spirk was present and said there are a couple of items in Hanover's July 26, 2018 letter, which he is okay with and they are going to get them done within the maintenance period. Mr. Kocher said there is paperwork to complete and they have to raise inlet #22 a couple inches on the road side to eliminate the steep slope between the edge of the roadway and the inlet.

MOTION BY: Mrs. deLeon moved for approval to accept the Estates at Saucon Woods into the 18-month maintenance period with a security amount of \$79,318.35 per the conditions stated in Hanover Engineering's letter dated July 26, 2018.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mr. Kern – Absent)

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCE

1. VNA OF ST. LUKE'S HOME HEALTH/HOSPICE – 2455 BLACK RIVER ROAD – VARIANCE REQUEST FOR ADDITIONAL SIGNAGE ON EXTERIOR WALL OF BUILDING (7:07 p.m.)

Attorney Kate Durso, representing the applicant, stated the hospice is requesting permission to install a wall sign as shown on the drawing. Someone is interested in donating money to the hospice and they would like to recognize the donation by acknowledging them on the sign. Mrs. Louder asked if the sign was lighted? Attorney Durso said it doesn't look like it is from the drawings she has in the file. There is an existing sign by the roadway.

MOTION BY: Mrs. Louder moved to support the signage for VNA of St. Luke's Home Health/Hospice as long as there is no lighting.

SECOND BY: Mr. Stauffer

ROLL CALL: 4-0 (Mr. Kern – Absent)

2. **AT&T WIRELESS CELL TOWER – 1995 LEITHSVILLE ROAD – SPECIAL EXCEPTION TO INCREASE TOWER HEIGHT AND VARIANCE REQUEST FOR DISTANCE FROM PROPERTY LINE** (7:10 p.m.)

Attorney Kate Durso, representing the applicant, stated that this is the existing facility at the firehouse and the most recent application before the Township was for T-Mobile to extend the height to 160' which was approved but never completed. There's a lot of carriers on the antenna, including AT&T, which needs to install additional antennas but as there is no space available below, they are requesting approval to extend to 180'. Because the tower is existing and not being proposed to be moved, variance setbacks are needed within the residential zone. This application is for a special exception with expansion of a non-conforming use, and then they will return for the site plan review.

Mrs. deLeon said they've always talked about the tower falling over, and now we're adding more feet. Attorney Durso said when they are proposing a modification it needs to meet what the current standards are, which are stricter than what they were when the tower was constructed. The tower is designed not to fall from the bottom and intended to alleviate itself of the load, which are the antennas. If there were to be a catastrophic failure it would bend almost like a straw and not fall completely on its side. The structure within the closest proximity is on the firehouse property and they have a lease agreement with the carrier. The tower is not designed to collapse its full height. Before it was constructed there was additional analysis done because of the ground features, and a carbonate geology report completed so the foundation was suitable for the soils that existed on that site. Mrs. deLeon asked if we should worry about the extra height or length of the antenna? Attorney Durso said not from a structural standpoint. It must be designed in accordance with the industry standards and the International Building Code standards.

Mrs. Louder asked how is it going to improve service? Attorney Durso said the extension is done for AT&T; if you are a subscriber of AT&T, this will enhance the service. Mrs. Louder asked if it would improve any other service? Attorney Durso said no, but if Verizon has a need, they may be able to go in between on the tower. Mrs. Louder asked if AT&T was blocking anything from Verizon? Attorney Durso said they are not allowed to, and that's why there is a 10' separation to make sure they aren't interfering with any other users on the tower. Council took no action.

B. SAUCON CREEK DAM REMOVAL (7:16 p.m.)

Mrs. Huhn stated the removal of the dam is planned next year to take place during the same time that the Water Street Bridge will be replaced in Hellertown; they will take the dam abutments out in that area. Kristie Fach was before Council previously and is willing to come back to provide another update at a future meeting. What is before Council now is the DEP permit application; if a municipality is the applicant the \$500 fee is waived, so partnering with Wildlands can save money if the Township is the applicant. Mrs. Louder asked if the Township has any liability or repercussions for doing this? Mrs. Huhn said no.

MOTION BY: Mrs. Louder moved to approve the submission of a DEP permit application to remove the Saucon Creek dam, with the title changes.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Mr. Kern – Absent)

C. RESOLUTION #74-2018 – ACCEPTING DEED OF DEDICATION FOR PAVELCZE MINOR SUBDIVISION – FRIEDENSVILLE ROAD (7:19 p.m.)

Attorney Treadwell said this was part of the Pavelcze minor subdivision's requirement that they dedicate the right-of-way along Friedensville Road to the Township and this resolution accomplishes that. There are some blank fields that get completed as soon as they sign the deed of dedication and then it is recorded.

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MOTION BY: Mrs. deLeon moved for approval of Resolution #74-2018 accepting deed of dedication for Pavelcze Minor Subdivision – Friedensville Road.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Kern – Absent)

E. HELLER HOMESTEAD – 1890-1892 FRIEDENSVILLE ROAD – BID AWARD FOR MASONRY REPAIR OF PORCH/STEPS/BILCO DOORS (7:21 p.m.)

Mrs. Huhn said one bid was received from Rob Wozniak of Preservation Works. We asked him to break it out into the different components we need repaired. The price for the front stairs is \$25,314; the porch is \$37,530; and the two Bilco doors, one on the main house and one on the Widow’s house, each are \$7,663; for a total bid amount of \$78,170. In the line item for repairs is currently \$58,773. If we move forward and have the work completed, we would transfer the balance of \$21,397 out of the Capital Plan into the Historic Structures Fund, which will leave a \$2,000 year-end balance. Mrs. Huhn recommends we move forward as the work has been outstanding for several years; the longer it’s let go, the more it’s going to deteriorate. Preservation Works did the Lutz-Franklin Schoolhouse, so we know they do quality work, and she has no concerns. The materials are not the costly portion, it’s mostly labor because of prevailing wage.

Mrs. deLeon said we have been putting this off for a long time, and we want to set an example and take care of our historic resources, so this needs to be done. Mrs. Huhn said if we wait until next year, prices are just going to increase. Mrs. Louder asked what the timeframe was for the completion of the work? Mrs. Huhn said completion must be by the end of the year.

MOTION BY: Mrs. deLeon moved to approve Preservation Works Ltd. for the masonry repair work of the porch, steps and two Bilco doors at the Heller Homestead at a cost of \$78,137.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Kern – Absent)

D. RESOLUTION #75-2018 – TRANSFER OF FUNDS (7:26 p.m.)

Mrs. Huhn reviewed Resolution #75-2018 and the Director of Finance prepared a memo. The majority of funds are for work by HEA who covered duties of the Zoning Officer for a period of time. This also includes work done on the MS4 project, and landfill activities that have exceeded the budgetary estimates. We also have grading permits and are discussing that at staff level to see what we can do as we have a set fee and they seem to be exceeding that. The recycling increase is due to an increase for the fuel paid by the Borough of Hellertown for the loader at the Compost Center. Because of the increased amount of paving and the decreased amount of fuel used for police because of fuel efficiency, we are requesting to move \$8,000 from one fuel line item to the other to insure funding to the end of the year. For the Special Fund, we are requesting additional funding for planning services provided by B&J for their work for the Woodland Hills Project, and the Capital Fund covers additional fund requested and approved at the last Council meeting to pay for the added equipment associated with the purchase of the police cruisers which we discussed.

Mrs. Louder said the landfill tipping fee would cover HEA’s fees for landfill, inspections and anything else that would come up. The salary for Mr. Garges leaving would cover the money that we paid HEA. She wanted to make sure landfill costs are coming out of the tipping fees and that the zoning salary came out of the old Zoning Officers salary.

Mr. Bryan Evans asked if the Preservation Works fee can come out of open space? Mrs. Huhn said preservation is a separate line item and it can’t come out of open space. Council allots for this every year for maintenance of historic structures.

MOTION BY: Mrs. Louder moved for approval of Resolution #75-2018.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Kern – Absent)

F. **WOODLAND HILLS PRESERVE – ADA LOOP TRAIL/POND BOARDWALK & STREAM BUFFER PLANTINGS – RESTORATION – REQUEST TO AUTHORIZE ADVERTISEMENT OF BIDS** (7:31 p.m.)

Mrs. Huhn stated that draft bid specs and a draft advertisement were prepared, and if Council approves, it will go up on PennBid to solicit the bids. Ms. Stern Goldstein said it will be listed on PennBid tomorrow, the advertisement will be in the paper two times and the bids will be due August 27th at 10 a.m., the bid award will be at one of the September Council meetings, and the completion date is December 10th so we can have the project closed out for the grant at the end of the year.

She explained where the ADA Loop trail was which will be paved, the pond access, and the riparian restoration, which involves thousands of plants and trees. Mrs. deLeon asked how long the trail was? Ms. Stern Goldstein said the loop trail is 1,900 linear feet so less than ½ of a mile. Mr. Stauffer asked about the outer loop? Ms. Stern Goldstein said it's probably a linear 3 miles. Mrs. Yerger asked if it has access to one of the pavilions, and Mrs. deLeon asked what the distance to the pavilion was? Ms. Stern Goldstein said she will get the answer for that question. Mrs. Louder asked what fund this came out of? Mrs. Yerger said open space and grant money.

Mr. Bryan Evans asked how the trail is going to be accessed from the parking lot and is that access controlled by a gate, and how wide is the path? Ms. Stern Goldstein said the path is 10' wide, the access is from the parking lot and as part of a separate project, the Township is creating ADA parking for two spaces. Mrs. Huhn said motorized vehicles are not allowed and it's not gated. Mr. Evans said he's thinking about an emergency, and that his other concern is vehicles will be able to get on the trail. Ms. Stern Goldstein said with all of our parks, motor vehicles are not permitted on the trails and they can work with the Township on signage with appropriate options. Mr. Evans said he's not worried about the rules, he's worried about how to prevent a vehicle from going on the trail while there are people on it. Mrs. Huhn said she's not sure you would be able to keep them off of it with a gate as it's open ground. Ms. Stern Goldstein said that's the problem, if you provided a gate or bollard, in this case, it would be money wasted as you could drive around any impediment. Mr. Evans said boulders would also provide a physical barrier. Mrs. deLeon said maybe we can look into boulders. Ms. Stern Goldstein said you can still drive around the boulders. Mrs. Huhn said because of ADA requirements, we might allow motorized wheelchairs or scooters, so they are able to go around to the trail and paved areas. Mrs. deLeon said we should have a hayride for one of the non-profits there.

MOTION BY: Mrs. Louder moved to authorize the bid advertisement for Woodland Hills Preserve ADA Loop Trail Walkway and Stream Buffering Planting Restoration.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mr. Kern – Absent)

V. **MISCELLANEOUS BUSINESS ITEMS**

A. **APPROVAL OF JULY 18, 2018 MINUTES** (7:42 p.m.)

MOTION BY: Mrs. Louder moved for approval of the July 18, 2018 minutes.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mr. Kern – Absent)

VI. **PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS** (7:43 p.m.) - None

VII. **COUNCIL & STAFF REPORTS**

A. **TOWNSHIP MANAGER** (7:43 p.m.)

➤ There's a draft update to the LV Hazard Mitigation Plan and she noted some minor revisions in red which she will submit to the LVPC with any additional comments Council may have. Mrs. deLeon also requested review of the plan to ensure it contained references to gas pipelines. They added information on community assets and some concentrations of vulnerable populations which she spoke with Chief about. They included Weston Sr. Living, the VNA St. Luke's Hospice and Life Path Group Homes; Town Hall for sports

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events and Seidersville Hall for the SV Senior program; they included two gas stations and existing structures that would be vulnerable to hazards; and included Columbia Gas and two PPL substations. Mrs. Louder said she would like to include the LNG storage tank on Easton Road, and she knows it's in the City of Bethlehem, but it's very close to our border. Mrs. Huhn said she can mention that when she submits it, and that the last revision was cultural historical resources to which she added the Michael Heller Homestead and park, and the Lutz-Franklin Schoolhouse. Another revision was that our Comprehensive Plan was not adopted in 1905. She will submit the revisions by this Friday.

- They received a letter of interest from Michael Simmonds to serve on the LSA Board as they have another vacancy. Bill Ross feels Mr. Simmonds' experience in the field of collective bargaining agreements and knowledge of compliance with state and federal safety regulations in the electrical and utility field will be an asset to the board. He lives in the Wassergass and would fill the remaining term of Lisa Basara which expires December 31, 2018. She's recommending approval.

MOTION BY: Mrs. Louder moved for approval of Michael Simmonds to serve on the LSA Board, with his term expiring December 31, 2018.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Mr. Kern – Absent)

- She had a request from the Director of Public Works and the Roadmaster to retain the seasonal employees through the month of September or at least until paving projects are completed. They are moving along, but we did have a couple of setbacks with all the rain we had; we had an aggressive paving plan this year. Normally we've been doing 1.7 miles and this year it's about 8.5 miles. We currently have \$9,000 remaining in our seasonal help line item which the Director of Finance indicated will cover the cost of three seasonal employees during that time. They also requested to remain on the summer hours, which is a contractual agreement with four, ten-hour days. The summer work schedule can be amended with the approval of management. Mr. Stauffer asked about the street sweeping? Mrs. Huhn said they are finished and the sweeper was returned yesterday; we did get a partial refund, as it was only \$7,000 and we were quoted \$10,000.

MOTION BY: Mrs. Louder moved for approval for the three seasonal employees to be retained and the summer hours being extended for Public Works through September or until the paving is finished.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mr. Kern – Absent)

- A special event application was received for the Town Hall Cyclocross sponsored by Lamprey Systems for September 22nd from 8 a.m. to 4 p.m. This is the 9th year it would be held at Town Hall and it has been very successful.

MOTION BY: Mrs. Yerger moved for approval of the Town Hall Cyclocross event for September 22nd from 8am to 4pm.

SECOND BY: Mrs. Louder

ROLL CALL: 4-0 (Mr. Kern – Absent)

- Cost estimates were received for the survey work for the conservation easement with Mr. Savitske. Cowan Associates came in slightly lower with a not-to-exceed cost of \$4,500 and a per monument cost for the installation of the pins along the building envelope of \$150 each. She's recommending to authorize that survey work.

MOTION BY: Mrs. Yerger moved to authorize the survey work of the Savitske property from Cowan Associates not to exceed \$4,500, paid out of open space funds.

SECOND BY: Mrs. Louder

ROLL CALL: 4-0 (Mr. Kern – Absent)

B. COUNCIL (7:52 p.m.)

Mrs. Yerger – No report

Mrs. deLeon

- July 25th she attended the NC COG meeting and they had reps there from the State Department and Cathy Gorman will be working closely with them for her grant paperwork.

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- Last night she attended the Steel Club’s soft opening of the new bar, The Beam Yard.
- A check for \$9,731.75 was received from DEP reimbursing us for what we spent for the consultant cost for the expansion at the landfill.
- We wrote a letter to NC asking them to create an interactive map, which is a wonderful map of pipelines and other information. Our County has been working on it and just recently Bucks County created a pipeline map which is also good. They mention a 1,000’ consultation zone and anything going on in the 1,000 feet has to be approved by the pipeline company. Attorney Treadwell said it would require anyone who wants to get a building permit for conducting any activity that could jeopardize the pipeline within that 1,000 area would have to consult with the pipeline company. Mrs. deLeon asked if we have anything like that in LST? Attorney Treadwell said no. Mrs. deLeon asked if there is anything we can be doing to do this? Attorney Treadwell said we could adopt an ordinance that creates consultation zones but in essence it takes away the property owners freedom to do what they want in that area.

Mr. Kern – Absent

Mrs. Louder

- She attended the LVPC meeting last night and found it interesting. The Transportation Improvement Project (TIP) is going to include Riverside Drive in Steel City.

Mr. Stauffer – No report

C. **SOLICITOR** – No report (7:57 p.m.)

D. **PLANNER** – No report

E. **ENGINEER** – No report

VIII. ADJOURNMENT

MOTION BY: Mrs. deLeon moved for adjournment. The time was 7:57 p.m.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mr. Kern – Absent)

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President