

**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**

- A. Introduction of Junior Council Persons for the 2018-2019 School Year
- B. Resolution #76-2018 – Recognizing First Responders
- C. Township Technical Consultant Committee Quarterly Landfill Report

**III. DEVELOPER ITEMS**

**IV. TOWNSHIP BUSINESS ITEMS**

- A. Zoning Hearing Board Variances
  - 1. R.M.S. Family Limited Partnership – 1850 Friedensville Road – Special Exception Request to Clarify and Expand the List of Permitted Uses
  - 2. Edward & Dolores Hill – 1691 Edward Drive – Variance Requests for Impervious Coverage, Steep Slopes, and Environmentally Sensitive Woodlands to Construct a House
  - 3. Andrew Checkeye – 2395 Polk Valley Road – Variance Requests for Impervious Coverage and Gross Side Yard Coverage to Construct a Pole Building
  - 4. Michael & Mary Ann Hilton – 3266 Green Acres Drive – Variance Request for Required Minimum Side Yard to Construct a Garage
- B. Submission and Review of 5-Year Capital Plan
- C. Susanne McMenamy – 2244 Apple Street – Request for Guide Rail Installation
- D. Resolution #77-2018 – Authorizing Placement of Property located at Easton Road/Raubsville Road in the Williams Township Agricultural Security Area
- E. Resolution #78-2018 – PennDOT Temporary Construction Easement for Friedensville Road/West Water Street Bridge Rehabilitation Project
- F. Resolution #79-2018 – Authorizing the Submission of a Grant Application for Monroe County Local Share Account Funding
- G. Authorize Advertisement for Sale of Township Property
- H. Heller Homestead Masonry Project – Selection of Handrail
- I. Authorize Purchase of New Signs for Steel City Park and Woodland Hills Preserve

**V. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of August 1, 2018 Council Minutes
- B. Approval of July 2018 Financial Reports
- C. Monthly Department Reports for July 2018

**VI. PUBLIC COMMENT ON NON-AGENDA ITEMS**

**VII. COUNCIL & STAFF REPORTS**

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

**VIII. ADJOURNMENT**

**UPCOMING MEETINGS**

Parks & Recreation: September 10, 2018 @ Kingston Park  
Environmental Advisory Council: September 11, 2018  
Saucon Valley Partnership: September 12, 2018 @ LST  
Zoning Hearing Board: September 17, 2018  
Township Council: September 19, 2018  
Saucon Rail Trail Oversight Commission: September 24, 2018 @ UST  
Planning Commission: September 27, 2018

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, September 5, 2018 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Priscilla deLeon, presiding.

**ROLL CALL:** Present: Priscilla deLeon, Vice President; Donna Louder and Ryan Stauffer, Council Members; Leslie Huhn, Township Manager; James Young, Zoning Officer; Roger Rasich, Public Works Director; Cathy Gorman, Director of Finance; Tom Barndt, Chief of Police; Linc Treadwell, Township Solicitor; Judy Stern Goldstein, Township Planner; and Brien Kocher, Township Engineer. Absent: Sandra Yerger, President and Glenn Kern, Council Member.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

Mrs. deLeon said Council did meet in Executive Session prior to this meeting. Attorney Treadwell said discussed was potential property acquisition. The first issue was the Savitske survey that Council already approved for the purchase of a conservation easement on that property. You need to approve the survey at 1.5 acres for the minimal protection area.

**MOTION BY:** Mrs. Louder moved for approval as stated above by the Solicitor.

**SECOND BY:** Mr. Stauffer

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

Attorney Treadwell said they also discussed three more properties in the same general vicinity as the Savitske property and those properties are identified by the EAC as Property No. 2017-5, 2017-6, and 2017-7. Council will need to determine if they want to move forward with that acquisition or not.

**MOTION BY:** Mrs. Louder moved to not go forward with the acquisition because it did not meet the standards set by the EAC.

**SECOND BY:** Mr. Stauffer

Mrs. deLeon said the criteria was approved by Council even though the EAC follows that.

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

Attorney Treadwell said a letter should be sent to those property owners thanking them and letting them know the decision.

**PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Mrs. deLeon 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**

**A. INTRODUCTION OF JUNIOR COUNCIL PERSONS FOR 2018-2019 SCHOOL YEAR**  
(7:04 p.m.)

Mrs. deLeon said she's very pleased with the amount of applicants; we have nine students from SVHS and one from Bethlehem Catholic that are recommended to Council. Mrs. Huhn said the students will serve for the term of the school year and she gave a brief introduction of each of them: Matthew Wagner and George French for Council; Ethan Kennedy for Planning; Katie French (not present), Sydney Oskin, Madeline Lohr and Maclaine Oskin for the EAC; and Ferris Abu-Ghosh, Thomas Spirk and Nicholas Snead for the P&R Board.

**MOTION BY:** Mrs. Louder moved for approval of Matthew Wagner, George French, Ethan Kennedy, Katie French, Sydney Oskin, Madeline Lohr, Maclaine Oskin, Ferris Abu-Ghosh, Thomas Spirk, and Nicholas Snead to serve as Junior Council members on the various Councils, Commissions, and Boards for the 2018-2019 school year.

**SECOND BY:** Mr. Stauffer

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

Mrs. deLeon said this program was started in 2004 when Tony Branco was President of HB Council and she was Council President of LST. She thinks this will be a great addition to their resume as it is a great introduction to local government.

**B. RESOLUTION #76-2018 – RECOGNIZING FIRST RESPONDERS (7:09 p.m.)**

Mrs. deLeon read the resolution which was prepared for the rescue efforts and response during the August 11<sup>th</sup> rain event which people were trapped at the Meadows Banquet Hall and rescued by the volunteer Firefighters, LST Police Department and SVSD Supervisor of Campus Operations.

**MOTION BY:** Mrs. deLeon moved for approval of Resolution #76-2018.

**SECOND BY:** Mrs. Louder

Mrs. deLeon said we thank everyone and appreciate everything they do 24/7, 365 days a year. Ty Johnson, Fire Chief of LS Fire Rescue, said that they had a lot of mutual aid departments give them a hand: Dewey Fire Company, Whitehall Fire Swift Water Rescue, Steel City, Bethlehem Township, Nancy Run, East Allen, Eastern Salisbury, and Springtown. Without a group effort, they wouldn't have been able to do what they did. Mrs. deLeon asked Mrs. Huhn to send thank you letters to all those who helped.

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

**C. TOWNSHIP TECHNICAL CONSULTANT COMMITTEE QUARTERLY LANDFILL REPORT (7:14 p.m.)**

Chris Taylor, Host Municipal Inspector, was present. He said the TCC met on August 21, 2018 to review and discuss the status of landfill activities during the 2Q2018 and more recent developments which are contained in his report.

The standard report calendar which provides the status of submissions; two were received late and four were overdue as of the meeting date. All four of the overdue reports have subsequently been provided by IESI. Regarding waste acceptance and management, in a recent development in August, it was found the facility was working beyond the end time of 6:00 p.m. which is in their permit and host agreement. The concern of the Committee is the facility has failed to meet the requirements of their permit. Mrs. deLeon said she would like Mr. Hallock to come up at the end of the report and respond to some of these concerns. Mrs. Louder said she knows the DEP allows the sewage sludge which is mixed with 90% contaminated soil, but what is contaminated soil? Mr. Taylor said the landfill can take soil contaminated with petroleum products, asbestos, and various other chemicals. Mrs. Louder said if this soil was to get wet, could it emanate an odor? Mr. Taylor said that's possible.

Regarding Landfill Gas Management, the concerns of the committee are the ongoing occurrences of surface omissions of methane and landfill gas produced recently reached 3,800 cfm versus the capacity of the landfill flare of 4,000 cfm. The personnel expect gas will begin to tail off rather than increase, but we are going to keep a close watch on that. Mrs. Louder asked if that includes BRE? Mr. Taylor said no. Their combined capacity is 6,000 cfm, but if BRE is off-line then the flare has to do it all by itself. Mrs. Louder said on April 5, 2018, the landfill flare was not running due to a main transmission pipe having developed a sag and being watered in by condensate; what does that mean? Mr. Taylor said the pipe developed a sag in a stretch of pipe that went under the south face haul road, so it wasn't easily accessible. In the sag, the condensate that is carried in the gas flow was able to settle in that area rather than continue to be carried on; the pipe wasn't sunk down to water and wasn't taking water from the outside. That pipe has since been replaced. Mrs. Louder asked if that would show up on the flare monitors? Mr. Taylor said it would show up a couple of different places – there would be lack of gas collection to the flare, and it would show up where gas would flow to the pipe where it would be captured and removed. They figured out the problem very fast.

Mr. Taylor said for leachate management, the Committee's ongoing concern is that there is still continuous flow of leachate or storm water in the detection zones and recommends monitoring the situation using Mr. Sichler's new tracking method. Regarding groundwater management, the sampling reporting is taking place as required, the abatement system continues to function as designed, and the Committee has no concerns.

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Regarding traffic, the Committee's concerns are the ongoing issues of overweight trucks which is elevated and appears to indicate the need for increased enforcement measures by the landfill and the State, and the issue of trucks staging on the roads. Mrs. Louder asked if can we call the State Police and have them monitor this? Mrs. Louder said a truck being over 9,000 lbs. scares her; who is loading these trucks? Chief Barndt said he will contact the City of Bethlehem and State Police Belfast.

Mr. Taylor said regarding storm water management, there were no incidences in the 2Q, but storm water runoff at the landfill on July 25<sup>th</sup> caused a washout of sediment and small rocks onto Riverside Drive. Heavy rain on August 18<sup>th</sup> caused erosion on the facilities North Slope road. The committees concern is lack of adequate storm water control mechanisms along the North Slope road and the recommendation is that the landfill should construct storm water control measures as needed to better control the discharge of storm water in this area. Mrs. deLeon said this has been a concern of the Township for a long time; when things roll down, then Riverside Drive is closed. Mrs. Louder said she was out taking pictures and it looked like a waterfall. It flooded out and a car sat on Riverside Drive that sank into the water and mud. It closed Riverside Drive leaving Steel City with one way in and out.

Regarding status of permit applications, there are none currently pending, so there are no concerns. Mr. Taylor said regarding operational changes, the facility's Operations Manager stepped down late in the 1Q to return to his previous position on the staff. During the 2Q the General Manger has been handling the duties of the Operations Manager while attempting to fill this position. The concern is the lack of a full-time Operations Manager. Mrs. Louder said the integrity of the management of this landfill is totally compromised. Mr. Stauffer asked if the position has been vacant for six months now? Mr. Taylor said that's his understanding. Mrs. deLeon said Council is not happy about this issue. Mrs. Louder said she doesn't understand how every other Operations Manager of the landfill could stay within their operational hours and not beyond; the gates were open last night about 6:10 p.m. Mr. Hallock said the landfill was closed at 6:00 p.m. and the gate was open for personnel in the office. Mrs. Louder asked doesn't the gate have an automatic lock? Mr. Hallock said yes. Mrs. deLeon said because the gates were open, it doesn't mean they would accept waste as the scales are covered.

Regarding regulatory oversight, there are no concerns as we feel the DEP is exercising regular regulatory oversight. June is the last inspection that they've received reporting on, so he is hoping they've been out there lately and have another report on the way. The Committee found no miscellaneous concerns. There were no citizen complaints reported in April by IESI or DEP; in May there was one odor complaint reported by IESI, one by Council Member Louder, and one noise complaint by a resident on Applebutter Road; in June we had one odor complaint by Council Member deLeon. Mrs. Louder asked if there was any final capping going on? Mr. Taylor said he would defer to Mr. Hallock on that, but as they move to the next stage, there should be final capping. Mrs. Louder said there's malfunctions every month from January to June for the flare, is the flare limping along? Mr. Taylor said the flare has been functioning normally based on visual observations and on reading the instrumentation at the flare enclosure – he would not characterize it as limping along. It's been doing a good job especially when gas production was up, and the flare was taking all of that when BRE was down. Mrs. Louder said one of the reports she looked at, it stated malfunction events and there was a malfunction every single month, is that common? Mr. Taylor said if the flare is shutting down protectively, that's what we want to see.

Mrs. deLeon said the report was very good. She would like him to consider putting at the end of the report all the subjects we have concerns and list them and that way it would be a lot easier than going through all the paragraphs. Mrs. deLeon asked if there is a reason for the lateness and overdue documents that we have since received? Mr. Hallock said they rely on third-party consultants for engineering and different monitoring, so they are waiting on the data from them. They had conversations with them that they need to report sooner, and sometimes it's the lab, but

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they are working diligently to get the reports in sooner. Mrs. deLeon said she's disappointed DEP hasn't been out there since June because of the eight NOV's, and one is still outstanding. Mr. Taylor said three out of eight. Mr. Hallock said that one will never be resolved. That was when they had the emissions and gray smoke and we talked about the smoke school. They are getting their staff to smoke school and that will always be open.

Mrs. deLeon said we talked about hours and how neighbors were complaining, and she believes it was worked out by Mr. Hallock and Mrs. Huhn. Mr. Hallock said they are open from 7:00 a.m. to 4:00 p.m. to accept collection trucks. They cut the hours back to 3:30 p.m. and they moved the long-haul trucks back to 3:00 p.m. They were getting six or eight trucks between 3:00 p.m. and 4:00 p.m. and it was taking a little bit longer to process them. Mrs. deLeon asked what about on Saturday's? There were some complaints about excess noise on a Saturday morning. Mr. Hallock said he heard that today from one of the residents and it's their triaxle cover trucks and banging of their tailgates. He has talked with the Supervisor for that trucking company who had a meeting with all the drivers, and he also talked with the owner. Mrs. deLeon asked because of the expansion, will there be noises coming from that area? Mr. Hallock said no, they are moving to the southeast. Mrs. deLeon said eventually you are going to be back over there. Mr. Hallock said at this time, they don't know that.

Mrs. deLeon said regarding the Traffic Control Plan, does that talk about the access to the landfill? Mr. Hallock said that's the truck route and he emailed it to Mrs. Huhn today. Mr. Hallock said Mr. Taylor will be on site for the 10:00 a.m. inspection tomorrow morning and he will see the significant work that they've done on the North Slope road.

Mrs. Louder asked about the trucks that are overweight, where are they coming from? Mr. Hallock said the one that was 4-ton overweight was a third-party truck at a demo site. They cannot send that overweight truck back out, they have to accept it. They gave him an hour time-out. He was suspended for two weeks, and they have not been back to the landfill; they then asked that company to find another landfill for disposal. Mrs. Louder would like to know the percentages coming from IESI's hub in NY. Mr. Hallock said about 75%. Mrs. Louder said that's very sad. Mrs. deLeon said that puts the control back into your hands, you need to do something about that. Mr. Hallock said he was out at the two transfer stations in question and met with their managers and they have loader bucket scales. One of the transfer stations has floor platform scales and they are getting them all recalibrated. They lowered the weight they send trucks out with to 78,500. A lot of rain does put them over and he showed Mr. Taylor all the paperwork that comes into the transfer station and none of them are loaded overweight at 81,000 or 82,000, they are all 79,200, but they backed it down another 1,000. Mr. Stauffer asked if there was a negative consequence for overweight trucks? Mr. Hallock said they give them an hour time-out and give them warnings or a week suspension. August was a pretty wet month, so the rain has a lot of effect. Mrs. Louder said weight is weight; shame on IESI for putting the public in danger as that's what you are doing every time you send out one of those trucks to our highway. You need to calculate it that when they leave the transfer station, they are still weighing in at the legal weight. Mr. Hallock said they are probably in the one percentile out of every landfill in PA for overweights. There are some landfills that average between 300 to 500 overweight's a month.

**III. DEVELOPER ITEMS – None**

**IV. TOWNSHIP BUSINESS ITEMS**

**A. ZONING HEARING BOARD VARIANCE**

**1. R.M.S. FAMILY LIMITED PARTNERSHIP – 1850 FRIEDENSVILLE ROAD – SPECIAL EXCEPTION REQUEST TO CLARIFY AND EXPAND THE LIST OF PERMITTED USES (7:51 p.m.)**

Mallory Sweeney from Fitzpatrick Lentz and Bubba was present. R.M.S. is seeking a special exception interpretation from the previous ZHB decision in 1990 which established

a set of permitted and prohibited uses on the site. It's a shopping center and has several businesses, a parking lot, and existing signage. It also has a single restaurant and the application seeks to confirm that this bagel shop is permitted on site as it's pre-existing non-conforming. They believe that the permitted uses that were conditioned to that prior 1990 decision are very specific, and it's inconsistent with how the uses are described under the current ordinance. They are proposing a list of uses which may include many of the uses that are permitted in the limited general business and village district. Their proposed list doesn't include any use for what the zoning ordinance would require public water or sewer. They are not proposing an increase of square footage or any alteration, reconstruction, or extension of a non-conforming use.

Attorney Treadwell said to sum up, is it safe to say that the ZHB decision is 28 years old, so you are trying to update it in today's terms as to what is permitted and what isn't permitted there? Attorney Sweeney said that's correct. Attorney Treadwell said in the packet there was one sheet about Lloyd Tactical Company which is the sale of firearms; that issue has been resolved already in that it is retail sales which are permitted under the 1990 ZHB issue, so that specific use has already been resolved. Attorney Treadwell said the list of other uses being proposed include specialty retail stores, banking and financial offices, business office, and beverage distributors. It's an update of what was permitted in 1990 and they are asking the ZHB to confirm that these things listed are still okay.

Mrs. deLeon said she can't envision some of the listed things happening at the site, including a funeral home. Attorney Sweeney said she thinks they are going off what is permitted in the surrounding compatible districts, and those are permitted. If relief needs to be tailored to take out something proposed from that list, she thinks the applicant and owner would be open to that. From a parking perspective, like a funeral home, which was also discussed with staff and the unique nature of the site as it exists, it's not over-parked. Currently its office and service professionals and it was agreed that the parking is there. Attorney Treadwell said even if the ZHB were to agree and approve funeral homes, if they can't meet the parking requirement, then it doesn't happen. They still have to speak with the Zoning Officer and he's going to look at the parking and it won't happen.

Mrs. Louder asked if everything presented would have to come before the ZHB anyway? Attorney Treadwell said if the ZHB approves this list, then all they have to do is come into the ZO and say one of the uses on this list is moving in and the ZO will have to confirm the parking is okay. Mrs. Louder said the only thing that caught her eye was the craft shops as microbreweries are craft shops. Ms. Stern Goldstein said she believes the one that came in was under crafts. Attorney Treadwell said the non-conforming use is the bagel shop right now as a restaurant permitted, but the bagel shop has been there for a long time, so they are asking the ZHB to confirm the bagel shop is okay. Once the ZHB says it's okay, it's conforming. Attorney Sweeney said there's an understanding there will not be a second restaurant without further approval. Maxine DiNaggio who lives in Society Hill said there is a parking problem. If you go there on a Saturday or Sunday, people are turning in and out. She doesn't see how there could be a funeral parlor there. School buses come out of there. Attorney Treadwell said there is a ton of parking in the back that looks like no one ever uses. Council took no action.

**2. EDWARD & DOLORES HILL – 1691 EDWARD DRIVE – VARIANCE REQUESTS FOR IMPERVIOUS COVERAGE, STEEP SLOPES, AND ENVIRONMENTALLY SENSITIVE WOODLANDS TO CONSTRUCT A HOUSE**

*(8:04 p.m.)*

Scott Mease, Mease Engineering and builder Steve Heiss were present. He explained where the streets and lots were. This is one of thirty-seven lots in the Pleasant Hills subdivision, most of which are built, with nine lots remaining. This issue will surface on a

number of these lots. This lot is over an acre in size and when the subdivision was proposed, minimum required lot size was 40,000 sf this is now zoned R20 which the minimum is 20,000 sf. There are a lot of isolation distances, and this one-acre lot cannot be developed and comply with everything.

Attorney Treadwell said you recently reduced the driveway size working with the Zoning Officer and the layout they came up with is the best compromise they can find. They are trying to utilize the areas of the house that are not in steep slopes. The net result is they end up with a few areas that they cannot comply. They are asking for some minor variances, which involve the impervious coverage, steep slopes and woodlands. Attorney Treadwell asked if the proposed building is typical in that neighborhood? Mr. Mease said it is. Mrs. deLeon said when she looked at the numbers, we don't like to see the percentages that high, but in looking at the history, it's an old subdivision. You always think of the downhill property owners. Mr. Mease said these lots now have the storm water controls, and even though they are disturbing steep slopes they installed the system. Attorney Treadwell said this is not a typical situation where someone has come in with a large house and wants to add on to it; this is trying to construct and make reasonable use of a property on a lot that was approved a long time ago.

Ms. Stern Goldstein said they came up with some suggestions and they implemented most of them, if not all; the dwelling fits in with the neighborhood. Mrs. Louder saw the property and it's surrounded with homes, and she doesn't see why we wouldn't do it. There are two constructions going on across the street and they are on the hill as well. Mr. Stauffer asked how many lots have been developed? Mr. Mease said there were 37 lots and 28 have been built. Council took no action.

**3. ANDREW CHECKEYE – 2395 POLK VALLEY ROAD – VARIANCE REQUESTS FOR IMPERVIOUS COVERAGE AND GROSS SIDE YARD COVERAGE TO CONSTRUCT A POLE BUILDING (8:13 p.m.)**

Mr. Scott Mease, engineer and Mr. Checkeye were present. Mr. Mease said this property is approximately ½ acre in size, located on the north side of Polk Valley Road, and is surrounded on three sides by the Hellertown Borough Authority (HBA) property. There are existing driveways, houses, carport, and driveway. He'd like to put a 40'x50' pole building up, and to lessen the amount of impervious impact, he's going to convert a stone driveway back to lawn. The existing impervious coverage is 34.8% and he's going to remove 1,216 sf of stone area, so he's a little over 1000 sf of impervious coverage. This is an existing non-conforming lot in the two-acre zoning district. His acre is surrounded by 86 acres. The side yard requirement is 40', they are proposing 15'. The rear yard is 50' and they are proposing 15'. Mr. Checkeye went to the HBA and shared with them what he is proposing to do, and they issued a letter of support.

Mr. Mease said the septic system is a seepage pit, which is an old cesspool. Mrs. deLeon asked if there's an alternate site? Mr. Checkeye said there's none planned but there is space in the corner; however, it is not tested. Mr. Mease said half of the building area is going over an existing driveway. Mr. Checkeye said his well is on the bottom left, and from there to the current septic is 100'. Mr. Kocher said that's not the first area they would test anyway. If they couldn't find the system anywhere else, they can get a waiver from their own well. Mrs. deLeon said if the pole building is there, would they have to take it down? Mr. Kocher said he doesn't know if it would qualify for a system as it would be disturbed. Attorney Treadwell said if he builds over his septic system, that's his problem. Council took no action.

4. **MICHAEL & MARY ANN HILTON – 3266 GREEN ACRES DRIVE – VARIANCE REQUEST FOR REQUIRED MINIMUM SIDE YARD TO CONSTRUCT A GARAGE** (8:22 p.m.)

Scott Mease, Mease Engineering was present. The applicant wants to take down a garage and put up a larger one. The building setback is 40' from the property line. A variance was granted in 2011 for them to build the house which is 4' from the property line. They submitted a grading plan which was reviewed and approved; and a permit was issued. When they went for the building permit, they said he needed a variance from the setback. Currently the garage is 31' off the property line and the new proposal would be 25'. Mrs. Louder asked if this property was surrounded by the golf course? Mr. Mease said it is. There are two lots that are like a big island; and the golf course goes around four sides of the property. Council took no action.

B. **SUBMISSION AND REVIEW OF 5-YEAR CAPITAL PLAN** (8:27 p.m.)

Finance Director Cathy Gorman was present. She said pursuant to Township Code, Administration has to submit a five-year plan. She provided a chart and itemization as to what is funded, what is restricted, and what is assigned for the next five years. In the 2019 report, they are going to recommend funding for all three of the capital funds at \$265,000 this year; \$225,000 to capital, \$20,000 to parks; and \$20,000 to historical structures. In the next five years we have unrestricted balances and if we keep within that funding level, we'll be fine. In 2019, we will not be requesting Council's permission to replace police vehicles as we are ordering three this year and won't need any additional. We will be presenting to Council a new Public Works truck and are also requesting a backhoe replacement. We are budgeting for several projects for Seidersville Hall, interior modifications and windows, which there are two grant submissions she has been working on with Northampton County. Another item would be Public Works as they need a new lean-to building. For open space, she doesn't have anything. We are anticipating that the Woodland Hills projects that we placed out to bid will be finalized by the end of the year which will come out of open space. For parks, one of the larger items that will be presented to Council is at Polk Valley Park which is an overlay of the parking lot that needs to be done. They will be looking at other grants for funding. For the historical structure funds, they've already allocated most of that funding to the Heller Homestead and will be looking at adding more money into that in the future for that property and the Lutz-Franklin Schoolhouse.

Mrs. Gorman said it's a planning document and things could happen that we'd have to modify it. Our plan is to keep on target with what we have listed and save for future infrastructure improvements. Mrs. Louder said regarding the Blair property, she'd like to see it on the agenda for discussion as she feels it should be demolished before it starts to become an expense. Regarding the listed road work, she spoke to Roger previously and Strauss and McCloskey are a mess. That road needs attention by the end of the year if possible, whether it's paving or chip and oil. Mr. Rasich said he would inspect the road and make sure some repairs are done.

Mrs. Louder wanted to question whether the fire department contribution from the Township will be part of the 5-year plan? The Township is changing quite a bit, our firemen are getting older and trying to recruit volunteers is harder and she wants to look into how we can be prepared for this. Mrs. Gorman said she will propose some options and can add that to the 5-year plan.

C. **SUSANNE MCMENAMY – 2244 APPLE STREET – REQUEST FOR GUIDERAIL INSTALLATION** (8:33 p.m.)

Ms. Susan McMenamy was present and stated she wished to speak on a public safety issue to have Council vote for the installation and payment of a guardrail near her property. She lives on a hill and her driveway slopes down to the street; on the opposite side of the street is a cliff with a 60% grade and there's nothing protecting vehicles from falling off the side of the road and down the cliff. There are several justifications she has for this request and she and her husband have slid down their driveway in winter, even after salt applications, half way into Apple Street. Friends and

visitors are nervous about traveling that stretch of Apple Street, and it is a snow emergency route and the safety of the public including residents traveling on that road should be a high priority. There are other portions of roads with existing guardrails including around the corner of Wilhelm, down Apple Street across from a residence across from the Steel Club where there is a small slope and even a chain link fence; rural portions of Seidersville Road where the slope is less than at her residence and other neighboring Townships' roads including Funks Mill Road and Springtown where the slope is equal to or less than at her residence. In April she spoke to Mr. Rasich and he said that stretch of Apple Street may be an acceptable use of a guardrail, but the Township could not justify paying for it. She wrote to the Township Manager of her concern and one item in the letter she received back was that the trees define the edge of the road along this stretch of the road. If she drives on the road and cars or truck on the other side, she worries about falling off the cliff as there's no protection. She would like the Township to pay for a guardrail in this area.

Mrs. deLeon asked the slope of her driveway? Ms. McMenemy said the slope is actually similar or slightly less than that of the opposite side of the street. She would guess at least 45 degrees. Mr. Rasich said the GIS shows it is 15%. Mrs. Louder saw the driveway and the trees, and the way the hill slopes, she doesn't believe a person sliding out of the driveway would go across the street, but instead go along the roadway. Ms. McMenemy said she has slid off her driveway in the winter past the middle and she doesn't see the trees protecting her. Mrs. Louder asked if she has considered her driveway slope, and Ms. McMenemy said she doesn't see how they could change their driveway. Roger said the driveway is about 150' long.

Mrs. Huhn said there's a memo from the PD and Mr. Rasich and also engineering information from PennDot provided by Mr. Kocher used to evaluate a roadway if you are considering installing guiderail. Mr. Kocher stated that what PennDOT wants you to consider is whether the placement of the guiderail is going to create a hazard itself. Regarding Apple Street, unless you are going to cut down a lot of trees, you'd put the guide rail between the trees and the road, in which case you would have placed a structure closer to the road than the embankment and trees. The chances of striking the guiderail might be more of a problem.

Chief Barndt said he drove the entire length and he doesn't ever remember a car going down that embankment his entire career. The problem with the driveway is the slope and there's a little bit of a gully there, and it's more of a risk to put up the guiderail.

Mrs. deLeon said the Township was not going to be able to help her. Mrs. Louder suggested she look into the driveway and see if there could be something done.

**D. RESOLUTION #77-2018 – AUTHORIZING PLACEMENT OF PROPERTY LOCATED AT EASTON ROAD/RAUBSVILLE ROAD IN THE WILLIAMS TOWNSHIP AGRICULTURAL SECURITY AREA (8:48 p.m.)**

Mrs. Huhn said Lower Saucon Township does not have an Ag Security area, so Williams Township usually allows, at the request and approval of LST, properties in LST to be added into their Ag Security area. There is a current application from Mr. & Mrs. Pektor and in order for Williams Township to move forward, they request a resolution from us allowing them to place it. They previously asked us to incur the cost as it's our property; there's some advertising and minor costs involved. Last time those did not exceed \$800.

Mr. Stauffer asked what restrictions or benefits go along with the Ag Security area? Attorney Treadwell said it protects them from any nuisance type suits if they are doing farming-type stuff. It also allows you to sell agricultural type easements to the state agricultural department. Mrs. Gorman said they also receive a reduced assessment. Mrs. deLeon said she's disappointed that LST doesn't have its own Ag Security area.

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- MOTION BY:** Mrs. Louder moved for approval of Resolution #77-2018 placing property owned by Louis & Melissa Pektor located at Easton Road/Raubsville Road in the Williams Township Agricultural Security Area, and to authorize payment for costs associated with this not to exceed \$800.00.
- SECOND BY:** Mr. Stauffer
- ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

**E. RESOLUTION #78-2018 – PENNDOT TEMPORARY CONSTRUCTION EASEMENT FOR FRIEDENSVILLE ROAD/WEST WATER STREET BRIDGE REHABILITATION PROJECT (8:52 p.m.)**

Mrs. Huhn said PennDOT has determined they need a temporary and permanent construction easement. They prepared a settlement sheet and notice of acquisition to the Township. There is an offer of cost associated with it and they would pay the Township for a permanent easement. The temporary easement would be turned back to the Township. They've also approached Hellertown Borough, which they will be seeking easements from as well. In conjunction with this, there's another temporary easement with PPL which is tying in an upgrade to the lines at the same time, so they don't have to come back and tear something up that was just done. There are trees which will be removed in conjunction of the power line that's going to be replaced in front of the Heller Homestead. The sign will have to be removed out of the easement once they own it. Photos show the three trees that will remain as well as where the PPL line will be crossing Friedensville Road to the other side. Mrs. deLeon said even though they are orange tagged, they aren't going to be taken down. Mrs. Huhn said those will be remaining as they said they can just trim them. They are proposing to replace the trees that were tagged in orange in the prior pictures with an American Red Bud along the cement wall to alleviate runoff as it's at the stream bank.

Mr. Roger Jurczak said when he saw the tape on the three trees, behind the bench, he interpreted it that they were coming out. Mrs. deLeon said we had conversations with them in a field meeting. Mrs. Huhn said they would be staying as that's where the line will be crossing. We asked them to take down as few trees as possible for the project. Mr. Jurczak referred to the Ussler Report from 2005 which recommended removal of two trees on the corner of the Heller House because the root system was pressing on the foundation. Mrs. Huhn said she doesn't think they were planning on taking all those trees because they were crossing to other side. Mr. Jurczak said it would be his suggestion for the preservation of the house to remove the trees. Attorney Treadwell asked if he wanted the Township to take down more trees than what they are proposing to take down - those specifically mentioned in the report? Mrs. deLeon said we need to look at the Ussler report to make sure we are talking about the same trees. Mrs. Huhn said she can look at the report and if it's Council's wish, we can reach out to PPL. Mr. Jurczak said it would be the two trees that do not have the orange tape on them, up toward the Lehigh University sign, towards Society Hill.

Mr. Jurczak spoke about the washout that is occurring every time we have a heavy rain the ballast that is adjacent to the road bed washes down to the driveway. There's no catch basin up the hill, but there is one past the driveway. He looked at the planned map for the bridge, curbing is going on the Bethlehem sidewalk, catch basins, and on the Lower Saucon side it doesn't look like there are any improvements on the roadway. It seems that should be a consideration in the roadway restoration. Mrs. Huhn said she did forward his email to Mr. Rasich. The remedy would be further up the roadway, but she doesn't think their construction is being done that far. Mr. Rasich said a catch basin would be nice, but the bigger problem is they put crushed stone on the downslope of a hard hill. If they would stabilize the shoulder of the roadway, then he doesn't think anything else is needed; they could macadam it. Mrs. Huhn said she can work with Mr. Rasich and contact PennDOT.

Mrs. Huhn said there is a dollar amount that they will be offering to the Township for the cost of the easement. For direct damages, they are offering \$4,300. They will pay for the temporary easement which is \$200 with a cost of adjustment of \$1,800. The total damages offered to the

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Township are \$6,300. Attorney Treadwell said if Council is okay with the concept, then we can work out the details with them.

Mrs. Stern Goldstein showed a picture of the driveway and the trees at the Heller Homestead. Mr. Rasich said they could be removed by the Township. Mrs. deLeon said she'd like to see the report. It's a historic site and the trees add to the beauty of the site. Mrs. Huhn said if you want to look at approving the easements, she will look at the Ussler report and bring it back to the next meeting.

**MOTION BY:** Mrs. deLeon moved for approval of Resolution #78-2018 authorizing and directing the Council President or her designee to sign the Temporary Construction Easement and the settlement sheets with PennDOT for the Friedensville Road/West Water Street Bridge Rehabilitation Project on its behalf.

**SECOND BY:** Mr. Stauffer  
Attorney Treadwell said temporary construction easement and other necessary documents as there's a deed in there.

**MOTION BY:** Mrs. deLeon amended her previous motion for approval of Resolution #78-2018 authorizing and directing the Council President or her designee to sign the Temporary Construction Easement and other necessary documents with PennDOT for the Friedensville Road/West Water Street Bridge Rehabilitation Project on its behalf.

**SECOND BY:** Mr. Stauffer amended his second

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

**MOTION BY:** Mrs. deLeon moved for approval to execute the grant of right-of-way easement with PPL for the Friedensville Road/West Water Street Bridge Rehabilitation Project.

**SECOND BY:** Mr. Stauffer

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

**F. RESOLUTION #79-2018 – AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR MONROE COUNTY LOCAL SHARE ACCOUNT FUNDING**

*(9:14 p.m.)*

Mrs. Huhn said this is a resolution for the Monroe County Local Share Account Funding and as Mrs. Gorman touched on with her Capital Plan, these are improvements to Seidersville Hall windows and some interior work. To submit the application, there's a \$100 non-refundable application fee which is covered in the Resolution.

**MOTION BY:** Mrs. Louder moved for approval of Resolution #79-2018 authorizing the submission of a grant application for Monroe County Local Share Account Funding in the amount of \$85,000.00 for the remodeling of the interior of Seidersville Hall and window replacement.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

**G. AUTHORIZE ADVERTISEMENT FOR SALE OF TOWNSHIP PROPERTY *(9:15 p.m.)***

Mrs. Huhn said there is a list of equipment we wish to sell. We estimate them all to be under \$2,000 and need Council authorization to accept bids for the disposal of the property. Mrs. deLeon asked where will this money go? Mrs. Gorman said we have a fixed asset line item and depending on where the expense came from that's where it would return. Mrs. Louder said why don't we put it in the PD for future vehicles? Mrs. Gorman said for vehicles it would go back into the Capital Plan. Mrs. deLeon said maybe the other stuff you could put in the historic fund.

**MOTION BY:** Mrs. Louder moved for approval to advertise the sale of Township property as stated by the Township Manager.

**SECOND BY:** Mr. Stauffer

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

H. **HELLER HOMESTEAD MASONRY PROJECT – SELECTION OF HANDRAIL** (9:18 p.m.)

Mrs. Huhn said we have two options that were submitted by the contractor doing the work. Mr. Stauffer asked if they cost the same? Mrs. Huhn said yes. Mrs. deLeon said she liked Option A; Mr. Stauffer liked Option B. Mr. Jurczak said on the porch, definitely Option B; coming down off the porch, Option B. With the steps coming off the parking lot, there are walls, so you'd just need a handrail, no need for the balusters for the bottom rail. You have the stone pedestals at the top and bottom but need a handrail.

**MOTION BY:** Mrs. Louder moved to select Option B for the handrail to be installed at the Heller Homestead.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

I. **AUTHORIZE PURCHASE OF NEW SIGNS FOR STEEL CITY PARK AND WOODLAND HILLS PRESERVE** (9:22 p.m.)

Mrs. Huhn said there are two mock-ups of what the signs would look like in your packet. We will have them ordered and installed.

**MOTION BY:** Mrs. Louder moved to authorize the purchase of new park signs for Steel City Park and Woodland Hills Preserve as presented with alterations.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

V. **MISCELLANEOUS BUSINESS ITEMS**

A. **APPROVAL OF AUGUST 1, 2018 MINUTES** (9:23 p.m.)

**MOTION BY:** Mrs. deLeon moved for approval of the August 1, 2018 minutes.

**SECOND BY:** Mr. Stauffer

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

B. **APPROVAL OF JULY 2018 FINANCIAL REPORTS** (9:24 p.m.)

**MOTION BY:** Mrs. deLeon moved for approval of the July 2018 financial reports.

**SECOND BY:** Mr. Stauffer

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

C. **MONTHLY DEPARTMENT REPORTS FOR JULY 2018** (9:24 p.m.)

Mrs. Louder said the submissions by the Zoning Officer regarding all the variances is excellent. She would like to know the follow-up from Chief Barndt on the Hill Climb and the property on Route 378. Chief Barndt said regarding the Hill Climb, he had a very informative meeting with the Executive Board of the Bushkill Motorcycle Club. It's the first time a Police Chief ever met with them and the open communication with them is going to continue through the upcoming Hill Climb. A lot had to do with the cameras that were installed at the last hill climb that were for the public safety. They brought up the subject of the reimbursement and went back through a lot of history how they used to donate under the previous administration of the chief and he said it would be nice to bring it back so we can continue the open dialogue. They did not say yes, but they did not say no, and were happy we were there. He just had contact with them this past Tuesday and they are going to put cameras back up. Mrs. Huhn said the Hill Climb moved their September date to the 30<sup>th</sup> due to September 11<sup>th</sup> events overlapping with their event. Regarding the home on Route 378, Chief Barndt has been in contact with the owner who is from NY and he's been working with a contractor to get it taken care of.

VI. **PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS** (9:27 p.m.)

- Mr. Bob Hero said in reference to several trees on Silver Creek Road that were supposed to be taken down, when are they going to do those? Mr. Rasich said in early fall. Mr. Hero said the school busses have to cross the yellow line when they go up that road to avoid the trees. Mr. Rasich said they are black locust trees and he contacted the home owner and it is okay for them to take them down.

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**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER (9:29 p.m.)**

- Mrs. Huhn said the painting of the Township buildings is almost complete; Seidersville Hall, the salt shed, and garage behind the Blair house are done. They have to complete the Public Works garage. On the PW garage, they took off the metal flashing and discovered that there was never any insulation put between that and the building. Mr. Rasich got quotes on having insulation installed, so we are asking for approval to install insulation not to exceed \$1,500.

**MOTION BY:** Mrs. deLeon moved for approval to install insulation not to exceed \$1,500 as stated by the Manager.

**SECOND BY:** Mrs. Louder

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

- Mrs. Huhn said we have scheduled the joint Hellertown-LST shredding event at Dimmick Park October 6<sup>th</sup>. We will supply two PW employees and have reached out to the EAC and some other boards and commissions to see if anyone would like to volunteer.

**B. COUNCIL (9:31 p.m.)**

**Mrs. Yerger** – Absent

**Mrs. deLeon**

- She attended Community Day, and although they did lose their softball game, it was a fun day, and the music was great.
- She asked about Sandra Miller’s resolution. Mrs. Huhn said they will talk about it at staff.
- She asked if Crime Watch is going well? Chief Barndt said Crime Watch is up and it’s going well; their following is very good according to the sales people as we can view it all the time. We had two tips on an Upper Saucon case as they were on our Crime Watch line.
- On September 8<sup>th</sup> and 9<sup>th</sup>, there will be a harvest weekend in LV and Black River Farms will be on the tour. September 10<sup>th</sup> Hellertown Lower Saucon Chamber is going to have Business Roundtable at Hellertown Borough Hall, the subject will be transportation and bridges. September 16<sup>th</sup> Music in the Park, James Supra and Sarah Ayers; and September 23<sup>rd</sup>, there will be a ribbon cutting at the Steel Club.

**Mr. Kern** – Absent

**Mrs. Louder**

- She would like to address fireworks in the Township. Multiple municipalities have set time limits on them and some folks are getting out of hand. She’d like to set the time to allow them from dusk to approximately 10 p.m. Mrs. deLeon said she’s never heard of limiting the time. Mrs. Louder said the option we have is to put a time frame on this by ordinance. Mrs. Huhn said she will take it to staff and draft something.
- She said Community Day was awesome.

**Mr. Stauffer** – No report

**C. SOLICITOR** – No report (9:35 p.m.)

**D. PLANNER** – No report

**E. ENGINEER** – No report

**VIII. ADJOURNMENT**

**MOTION BY:** Mr. Stauffer moved for adjournment. The time was 9:35 p.m.

**SECOND BY:** Mrs. Louder

**ROLL CALL:** 3-0 (Mr. Kern & Mrs. Yerger – Absent)

Submitted by:

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Leslie Huhn  
Township Manager

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Priscilla deLeon  
Council Vice President