

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, December 1, 2021 at 6:35 p.m., with Mrs. Sandra Yerger, presiding.

**ROLL CALL: Present:** Sandra Yerger, President; Jason Banonis, Vice President; Thomas Carocci, Priscilla deLeon, Kristen Stauffer, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer, Diane Palik, Administrative Assistant; Kennedy Pacchioli, Jr. Council member.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)** – Mrs. Yerger said Council did meet in Executive Session. Attorney Treadwell said Council talked about personnel issues and the discussion was on the litigation with the PennEast Pipeline, the eminent domain action on the Township’s conservation easement, and if Council approves, we would need a motion to execute the Confidential Settlement Agreement with PennEast and they will pay the legal fees as discussed in Executive Session that the Township incurred.

**MOTION BY:** Mr. Banonis moved to accept the amount from PennEast and execute the Confidential Settlement Agreement.

**SECOND BY:** Ms. deLeon

**ROLL CALL:** 5-0

**PUBLIC COMMENT PROCEDURE**

Mrs. Yerger said we do welcome input from everybody but we ask that you keep your comments to three minutes per item. If you want to speak, please raise your hand and come to the podium.

**II. PUBLIC COMMENT – TOWNSHIP RESIDENTS ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS**

➤ Frank Palumbo, 2566 Kings Mill Road, Hellertown. He said he will set his timer so he doesn’t go over. Mrs. Yerger said thank you, we appreciate that. He said January 8, 2021, January 25, 2021, January 25, 2021, January 25, 2021, January 27, 2021, January 28, 2021, February 2, 2021, March 2, 2021, March 31, 2021, March 31, 2021, June 8, 2021, June 11<sup>th</sup>, June 11<sup>th</sup>, June 16<sup>th</sup>, July 30<sup>th</sup>, August 4<sup>th</sup>, September 14<sup>th</sup>, September 19<sup>th</sup>, September 26<sup>th</sup>, October 21<sup>st</sup>, October 19<sup>th</sup>, October 22<sup>nd</sup>, November 8<sup>th</sup>, November 4<sup>th</sup>, November 14<sup>th</sup>, November 28, November 30<sup>th</sup>, do you guys know what those dates mean, I’ll tell you. Mr. Carocci said they are odor complaints at the landfill. Mr. Palumbo said exactly, right on the money. Mr. Carocci said absolutely. Mr. Palumbo said he complained practically every year about these odor complaints and he never seems to see any accountability by this Township or by the landfill to address any of these issues. He can’t go outside, this past Sunday he wanted to go out and do his lawn and rake the leaves, he couldn’t go outside because the smell was so bad. The second he opened up his garage door, it hit him right in the face. He lives about a mile and a half the way the crow flies from the dump. Every time he drives past that dump, he smells the garbage. He smells it a mile and a half away from the place. He purposely avoids driving past it as he can’t stand the smell. He can’t ride his motorcycle or bicycle in that area. Mr. Carocci said when did you move to your current location? Mr. Palumbo said 16 years ago. Mr. Carocci said has it gotten worse? Mr. Palumbo said it’s been periodically here and there and in the beginning he never knew where it was coming from. Then once he started realizing it, it doesn’t take a genius to figure it out. He’s south and east of the dump where the crows fly. He gets to smell this crap, not on a regular basis fortunately, but one time is one time too many. You guys are all silent he doesn’t hear anything from anybody. Mr. Banonis said has DEP come to your home, anytime you reported these? Mr. Palumbo said no they’ve never been to his home. He just reported this to a bunch of you guys as he has your email addresses from the last time he reported this. He reports this at least once a year, he gave up on reporting it. He knows the Township doesn’t do anything about it. Mr. Banonis said he’s never received any emails or communication from him. Mr. Palumbo said he doesn’t know if he was copied on the last one, but he copied Leslie and Priscilla and he doesn’t know who else was on the email. Mr. Banonis said he wasn’t. Mr. Palumbo said then he probably doesn’t have his email. Mr. Banonis said you identified 23 different days here and sometimes multiple occasions on some of those days. Mr. Palumbo said this is from your complaint log that he pulled off your website.

Mr. Banonis said no, you stood here and told us those are the dates you made complaints. Mr. Palumbo said no, these aren't his complaints, these are complaints logged in and you have it on your website. Mr. Banonis said he misunderstood, which days have you personally smelled odors? Mr. Palumbo said he complained this past weekend. Mr. Banonis said you identified 23 days with multiple complaints on some of those days where there were odor complaints, but not all those odor complaints are attributable to you, correct? Mr. Palumbo said correct. Mr. Banonis said he's trying to understand how many times have you personally complained or experienced an odor problem that you felt was worthy of making a complaint. Mr. Palumbo said recently? Mr. Banonis said it started in January 2021. Mr. Palumbo said he just said he doesn't report every time he smells it. He gave up. The last time he couldn't even rake his dam yard. He's reported it once a year for the last couple years. Mr. Banonis said let me try to understand what's happening here. You've identified all of these complaints, you said you've given up, but yet you want us to do something, and you can't identify for us the days you've experienced these complaints. You said the DEP hasn't come out to look at your property on any of these occasions so he's not sure what you want us to do without you having documented complaints and being able to tell us here today how many times since January 2021 that you have experienced these problems. Mr. Palumbo said he just experienced it this past Sunday. Mr. Banonis said okay, that's one time. Mr. Palumbo said right. Mr. Banonis said how about before that, he said back in January 2021? Mr. Palumbo said he pulled this off the website to show you the history. Mr. Banonis said you, you, not the list. Mr. Palumbo said he's showing you history here, he's not showing you what the problem is at his specific house. It doesn't matter about his house, this is going around in the whole Township. Steel City he feels so bad for those folks as it's all Steel City here practically. Attorney Treadwell said has DEP investigated any of those complaints that you listed? Mr. Palumbo said yes, it's right on your website here. It says date of initial response, address, and inspection report dated. He doesn't know when they show up. They don't show up at his house. He doesn't even get a phone call back. Attorney Treadwell said did you call them this past weekend? Mr. Palumbo said he did a direct email to DEP because they are closed on the weekend. They have not responded. He took that and forwarded it to you guys. Mr. Banonis said have you been in touch with DEP to complain about their lack of response? Mr. Palumbo said he has not. This is his local government. Mr. Banonis said we don't control DEP. Mr. Palumbo said he's not saying you control DEP. This is a dual issue that DEP and the Township needs to address. Attorney Treadwell said do you understand that DEP regulates the operation of the landfill, so odors are a DEP issue. Mr. Palumbo said you don't have any control. Attorney Treadwell said no, we don't have any control. Mr. Palumbo said so you guys are okay with this smell then? Attorney Treadwell said he didn't say that. He said we don't have control over it, DEP regulates odors. Mr. Palumbo said but you indirectly regulate the dump. Attorney Treadwell said how? Mr. Palumbo said DEP has expansions. Attorney Treadwell said we have zoning absolutely. Mr. Carocci said this isn't about an expansion. Attorney Treadwell said this is about an odor, an operational issue. Ms. deLeon said there's nuisances in the Township, we have a Nuisance Ordinance. Mr. Palumbo said his issue is smell. That's all, whether it affects him directly or it affects Steel City or the people who physically complain. He can literally drive like he said earlier, up and down Applebutter Drive, anytime of the day or night and he's smelling trash. He doesn't think any of you guys would disagree with him. Mr. Carocci said he would encourage him to notify DEP. You've only done that once this year. You can't say it again in one breath that DEP doesn't respond, and then the next second you've only called them once this year. He's no fan of DEP. They should respond to every odor complaint in his opinion but you have to start documenting it. You really do or even we've written letters to DEP about being more proactive in their regulation of the landfill. It would be nice to have those numbers from you that you did report it every day or almost every day and whether they came out or they didn't come out. Mr. Palumbo said he has the days he reported it over the last three years. Ms. deLeon said do you have them there for the last three years because...Mr. Palumbo said 11-28-21 was just this past weekend. December 19, 2020 and September 18, 2019 – those are the only days he complained because again, he doesn't report it every single time. Ms. deLeon said she's the same way, you go outside and smell it and you think, it's just a little bit and then you get busy and it's like you need to go somewhere and you don't call. Then the next time it's like really bad and you call. She's seen Kings Mill Road on a lot of those odor complaints over the past couple years, because

she's been involved with the landfill for many years and his address has shown up many times. She knows she just called the other day, it hits you in the face. You open up your back door to let your dog out and the odor just hits you and it's like oh my God. You call and it's 10:30 at night and you get an answering machine, a message, and then you may get a live person who calls back, and they keep a record of it. Maybe the next day someone will call you. They know her, they know her name, and who she is and Amy Faulch, the DEP inspector, called her to see if someone should come out to her house because she would say maybe three times DEP would come out, but it takes them an hour to get there. By the time they get there, the odors precipitated and you can't smell it, so they are wasting their time. She told Amy not to come because she smelled it for the last 20 minutes and there's no odor now, you are wasting your time. In order for an odor to be a malodor, this is funny, a DEP nose has to smell it. They don't believe us, a trained DEP person has to smell it. In order to smell it, they have to be there on your property. That is very hard to do. Mr. Palumbo said he agrees. He can walk from his house down to the street as he's about 100' off Kings Mill, he'll smell it at his house, but not down on the street. He's been told in the past to contact the dump and he has. Do you think they ever call him back? Ms. deLeon said the landfill wants you to call them also besides DEP. Mr. Palumbo said they were copied on the email as you guys were. They don't respond either. If you guys are just going to tell him it's all DEP's fault and tough shit then he guesses that's the way it is, and the way his attitude is, and why bother reporting this stuff. Ms. deLeon said that's the attitude a lot of people have. It's about time another letter to DEP saying we are getting more complaints about odors. Can you do this? She knows they are looking into it. Would that hurt us to send a letter? Mrs. Stuffer said sending a letter doesn't hurt, that's the one thing we can do. She understands what you are saying, and it's unfortunate to residents. Mr. Palumbo said this will affect property values. If he goes to sell his house and that question comes up, he's obligated to respond truthfully and say yes, he smells garbage. Ms. deLeon said this is no different than notifying PennDOT if there's a speeding issue on one of the roads, so there's more odor complaints now. She doesn't know what they are doing but she lives up by the water tank and she smells it at different times. Her friends that live closer to Riverside Drive, she smells it, they don't, and if they smell it, she doesn't, it just depends how the wind blows. Mr. Palumbo said he's sorry he took over three minutes but he just wanted to let everyone know. Ms. deLeon said that's fine as sometimes she thinks she's all by herself smelling this and if you can smell it over two miles from her house, then she feels for you. Mr. Palumbo said thanks for your time.

**MOTION BY:** Mr. Banonis moved to send a letter to DEP, highlighting for them, the dates that Mr. Palumbo provided to us and additionally the date of November 28, 2021 which was his most recent complaint from him.

Ms. deLeon said can you throw her dates in there. Mr. Banonis said they are already in there. Ms. deLeon said did he say the 30<sup>th</sup>? Mrs. Yerger said yes he did.

**SECOND BY:** Ms. deLeon

Mr. Dave Boulin, 2023 Alice Drive, said this is really interesting here. He hears that maybe the Township has some responsibility but it's mostly DEP. He hears people are really, really upset and he doesn't blame them, he would be too. You don't follow it up and the problem is you smell it and 20 minutes later it's gone. Who is going to offer the solution here how to capture this? We seem to be in a situation where we just say, well, it's here, it's there, I'm really mad, but not mad enough to report it. He thinks it needs to be nailed down somehow. Somebody needs to claim responsibility and go after it with the DEP if that's truly the way to solve it or DEP needs to say there's plenty of health officers in the region, for example, our Engineers, let's have them that are 3 or 5 minutes away, get over there and smell it and say yes, absolutely, we have it, we got it, and here's the date, here's the time, what was the dump doing when all this happened and did they do something wrong, and let's fix it. If you don't do something like that, these people are going to show up in front of you again and again, thanks. Ms. deLeon said a couple of weeks ago when she called and the DEP called her back, this was over the weekend and they had gone out there on a Monday or a Tuesday and they have, forgive her, monitors that they read the surface, but see, what most people don't understand is that when they cap a landfill, the methane doesn't rise above the liner. It gets captured in the methane

gas. Mr. Boulin said it's a collection system as a rule. Ms. deLeon said there's acres and acres of landfill that's not capped and they have a schedule and they got fined, they got an NOV last year that there were so many acres that weren't capped and she doesn't know where they are in that schedule but what happens is the gas percolates through the dirt and comes to the surface and then the wind takes it away. If it's not capped, you are going to smell it depending which way the wind is blowing. They did testing, that report is not finalized yet, it's in process of being reviewed. They've done this in the past. They do it on a regular basis. The landfill every month or whatever, they also independently test for the surface monitoring. DEP like she said, we are waiting like everyone else is waiting to see the report. Mr. Boulin said it sounds like you are waiting a long time and maybe that's the thing you ought to go after, if indeed not part of it is not capped and that methane is not being collected, there needs to be some action taken. Ms. deLeon said that was one of her questions on what is the schedule of the liner thing. Mr. Boulin said you couldn't get that answer from DEP. Ms. deLeon said the person she asked didn't have knowledge of that answer so she had to find out. Mr. Boulin said go up the line. Ms. deLeon said you have to climb ladders sometimes. Mr. Boulin said yes, that's why these people are here. Attorney Treadwell said didn't we recently get a fairly extensive explanation from DEP of their odor process? Ms. deLeon said this summer. Victoria wrote a letter and everything. Attorney Treadwell said to say that the Township is doing nothing is not necessarily correct. He thinks if we ask DEP to explain what their odor process is, and how complaints are handled and he thinks they sent us a fairly extensive explanation of how it...Ms. deLeon said its posted on the website. Attorney Treadwell said it's posted on the website so maybe for those people who are interested in it you can go on the website and look at the explanation that comes from DEP to get a better understanding of how the process works.

Ms. Victoria Opthof-Cordaro said in response to Linc's response, she doesn't hold any position in LST, she's a resident. There was a letter that she prepared earlier in the Spring as she had attended multiple Landfill Committee meetings and had requested some additional push from the Township to the DEP about the odor complaints and she wasn't met with any acceptance of that or any willingness from the Landfill Committee to address the odor complaints, so she wrote her own letter as she saw the inaction from the Township as the gentleman has indicated. For Linc to now say that was a Township action, she appreciates the Township published that letter she drafted, but that was not any work by this Township. That was her work, and that was a resident's work that she felt should have been done by the Township to begin with, that's number one. To Mr. Palumbo's point, there's plenty of action that this Council can do. You can contact your local representatives, you can ask them to send as they have more weight, they are our State representatives. You can do that you can send your own letters. When you have a Township seal on the letter, it means more to the DEP than it does coming from a resident and she thinks everyone up there knows that, there are two attorneys on our Council who know they can use that weight to benefit the Township. Mr. Banonis said that's what he suggested. Ms. Opthof-Cordaro said she knows that, she's just hearing that there is nothing you can do but call the DEP but she's indicating that in addition to writing a letter to DEP perhaps you contact both of our State representatives, we have two of them, so we can contact them. You can contact the Governor's office, you can contact the Lt. Governor's office, you can scream as loud as you can and somebody will hear you. You all know that, so she's hopeful you will take Mr. Palumbo's point to just say yes we will use our Township resources to contact other people who can do something about it instead of just sitting here. That's her comment. Mr. Banonis said fair enough, just so it's clear the landfill itself is in representation of Bob Freeman's district, correct? Ms. Opthof-Cordaro said yes it is, correct. Ms. deLeon said the two State people would be Boscola and Freeman.

**ROLL CALL:** 5-0

Ms. deLeon said when's you next Landfill Committee meeting? Mr. Carocci said December 16<sup>th</sup> at 6:00 p.m. Ms. deLeon said can you just ask them in advance so they will have an answer for you about their schedule for capping in unlined areas. Mr. Carocci said sure.

**III. PRESENTATIONS/HEARINGS**

**A. PUBLIC HEARING (CONTINUED) – ADOPTION OF MULTI-MUNICIPAL COMPREHENSIVE PLAN UPDATE – RESOLUTION #65-2021**

Mrs. Yerger said at the November 17<sup>th</sup> Council meeting, the public hearing to adopt the 2021 update to the Multi-Municipal Comprehensive Plan was continued as Council requested staff to look into certain areas to possibly address future (and existing) commercial uses, specifically:

- to address the Rt. 412 corridor to expand the area from the Hellertown Borough line to Apples Church Road as depicted on the map for consistency
- to address the Easton Road portion that is not identified as neighborhood mixed use
- to change or look at the Rt. 378 corridor to make it consistent throughout the commercial use as it is now

Mrs. Yerger said the map was revised. Ms. deLeon said did we get a pointer yet? Attorney Treadwell said he can explain it. Ms. deLeon said we need to put that on Santa's list. Mrs. Huhn said we do have one. Attorney Treadwell said at the last Council meeting, we discussed the Comp. Plan and this is the Comp. Plan map of future land uses. Where he's pointing now, this red area, stopped at the Borough of Hellertown and at the last Council meeting, Council directed if we would extend it out to 412 and that's what Brien has done on this plan, the red is Commercial and extends out. The second area is this little sliver up here which on the previous Comp. Plan half of it was residential and half of it was Mixed Use, it's all now Mixed Use as you can see and then come down a little on the top corner, the 378 corridor it's now identified as all potential future Commercial all on 378. Those are the three changes that were discussed at the last Council meeting and that's what you have now on the plan. Ms. deLeon said what does that do to our zoning. Attorney Treadwell said it does nothing to our zoning other than allow you in the future to say if you want to change your zoning to GB1 or GB2, which is our Commercial district, then it would be consistent with this Comp. Plan. Mr. Carocci said it still has to go before zoning. Attorney Treadwell said it would have to go thru the whole process, absolutely. Brien has been in touch with LVPC whether or not they wanted to see this again, he doesn't think they responded to him yet. Mr. Kocher said that's correct. Attorney Treadwell said so his suggestion is if you make a motion to approve this map, we will then have Brien send it to the LVPC and see if we can get a response that way.

Mr. Banonis said he'll make a motion. Mr. Carocci said he'll second it. Ms. deLeon said she has a question. Attorney Treadwell said we aren't going to close the hearing as we don't know what LVPC is going to do. Ms. deLeon said the big purple area, the dark purple area, she doesn't ever recall that being that large when we did the plan the last time. Do you remember that? Attorney Treadwell said Brien, you didn't change that area? Mr. Kocher said no, Leslie was able to get the map from the consultant and we only looked at the three areas that Council directed us to change. It is not necessarily consistent with your current zoning ordinance in some places, it's his understanding this is the same Land Use Map from 2009, that's what they were told. Ms. deLeon said she remembers questioning that after it was printed and nobody came up with an answer of how it got that big as we never talked about it being that big when we were looking at the plan. She thinks that was an error on the map when it was. Mrs. Huhn said she can ask Carolyn if she can go back and look at what precipitated that. She did say that's what was there from 2009. Ms. deLeon said she'd like an answer and she remembers she questioned that back in 07, 08, whatever. What started her questioning was the Riverside Drive of the Lehigh River part of some of that area is the Steel City slopes and to say they were industrial she was questioning it. Mrs. Huhn said the white areas are the open space areas. Mrs. Yerger said that's part of the slopes as well, obviously. Ms. deLeon said if you could ask, that would be great. Attorney Treadwell said if Council agrees, the motion would be to have Brien send this plan with the three changes we talked about to LVPC to see if they need to re-review it before we adopt the Comp. Plan.

**MOTION BY:** Mr. Carocci moved to have Brien Kocher send this plan, with the three changes Council talked about, to LVPC to see if they need to re-review it before Council adopts the Comp. Plan.

**SECOND BY:** Mr. Banonis

**ROLL CALL:** 5-0

**MOTION BY:** Mrs. Yerger moved to continue the hearing after we get an answer from LVPC on the Comp. Plan.  
**SECOND BY:** Mr. Carocci  
**ROLL CALL:** 5-0

**B. PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF CHAPTER 38 AMENDING CERTAIN PROVISIONS OF THE POLICE PENSION – ORDINANCE NO. 2021-04**

Mrs. Yerger said Ordinance No. 2021-04 has been advertised for a public hearing and consideration to adopt Chapter 38 of the Police Pension Plan or program applicable to the Police employees of Lower Saucon Township by amending and revising certain pension provisions and repealing all other ordinances and parts of ordinances in conflict with the provisions of this ordinance.

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

Attorney Treadwell said as part of the contract negotiations with the Police Officers Association, they requested and the Township agreed to a DROP option in their pension plan which is a deferred retirement option and what it does is it would allow an officer when they reach retirement eligibility, it allows them to pick a date certain that's not more than two years from the date they reach eligibility where they will state I will retire on that date from the time of their eligibility until that date they still remain employed as a police officer and any pension payment they would be due had they retired go into a separate account which is then paid to them in a lump sum when they actually retire. So it's a fairly common program for police officers and for other types of employees as well. What it does for the Township, it allows us to keep more experienced officers for a longer period of time where they might reach a retirement date and decide okay, I'm out of here, and I've maxed out my pension where we might want to keep them as they are more experienced. It's good for the officers, it's good for the Township and this is the ordinance that would enact that provision.

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

**MOTION BY:** Mr. Banonis moved for approval of Ordinance No. 2021-04 adopting Chapter 38 amending certain provisions of the Police Pension.  
**SECOND BY:** Mr. Carocci  
**ROLL CALL:** 5-0

**C. PUBLIC HEARING AND CONSIDERATION OF ADOPTION TO REVISE CERTAIN PROVISIONS OF CHAPTER 150 OF THE OPEN SPACE MUNICIPAL RESIDENT TAX – ORDINANCE NO. 2021-05**

Mrs. Yerger said Ordinance No. 2021-05 has been advertised for a public hearing and consideration to adopt an ordinance to amend and revise Chapter 150 (taxation) of the Open Space Municipal Resident Tax; and repealing all other ordinances and parts of ordinances in conflict with the provisions of this ordinance.

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

Attorney Treadwell said you saw this at the last meeting which just removes the language from the tax section of the Township code which is Chapter 150 that refers to the Open Space Tax. The Open Space Tax expires at the end of this year. This ordinance just removes the language from your code so that there is no confusion when someone goes to the code and tries to figure out if it's in effect or not.

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

**MOTION BY:** Mr. Banonis moved for approval of Ordinance No. 2021-05 revising certain provisions of Chapter 150 of the Open Space Municipal Resident Tax.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**V. TOWNSHIP BUSINESS ITEMS**

**A. RESOLUTION #66-2021 - AUTHORIZING A BUDGET ADJUSTMENT TRANSFER OF FUNDS**

Mrs. Yerger said Resolution #66-2021 has been prepared to make adjustments to the 2021 budget due to anticipated additional expenses and expenses previously approved by Council.

Mrs. Huhn said Cathy prepared this based upon the direction from Council at previous meetings. This is covering the bonuses for both the PD and administrative staff. It's coming out of the ARPA funding, which is in a separate account, moved to the General Fund and then from the General Fund into the payroll. It also covers some other areas where she had to transfer some money for engineering SEO, this is for some of the sewage enforcement that we had transitioned to this year from HEA doing it from taking it in-house and developing it with an escrow fund so that's covering that. There was some additional money for park maintenance, which was associated with the Rail Trail refurbishment that we just did and then she had to transfer some of the pension fees for the overages.

**MOTION BY:** Mr. Banonis moved for approval of Resolution #66-2021 authorizing a budget adjustment transfer of funds.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**B. HELLER HOMESTEAD – 1890-1892 FRIEDENSVILLE ROAD – APPROVAL OF SUNROOM WALL AND UPSTAIRS HALLWAY CEILING REPAIR**

Mrs. Yerger said the Heller Homestead is in need of repairs to the sunroom wall and the upstairs hallway ceiling. The Director of Public Works has obtained quotes and the Manager will discuss the work with Council.

Mrs. Huhn said you have the two quotes in your packet from Kametz Construction who does this type of wall repair as it is a plaster wall and a little different than just someone coming in and fixing drywall. The estimates seem reasonable, with the wall costs of \$1,075.00 and the upstairs ceiling is \$550.00. Ms. deLeon said this is pretty much fixing what is existing, the Secretary of Interior standards. Mrs. Huhn said we are past the covenants period. Ms. deLeon said we usually check with Karen Arnold. Mrs. Huhn said we did not run this by her as they are repairing it to the standards of the wall and the paint colors will remain the same. She can if you want her to, but then...Ms. deLeon said no, only because you are doing the same interior. She asked if there were pictures of the upstairs ceiling. Mrs. Huhn said she doesn't but Roger does and she will forward them to Ms. deLeon. Ms. deLeon said yes, please forward them to her. She thinks it's good we are doing this. She attended an event there this fall and she was surprised to see they were in the shape they were.

**MOTION BY:** Ms. deLeon moved for approval of repairs at the Heller Homestead for the sunroom wall at a cost of \$1,075.00 and the upstairs hallway ceiling at a cost of \$550.00.  
**SECOND BY:** Mrs. Stauffer  
**ROLL CALL:** 5-0

Mrs. Stauffer asked if we could send a letter to David and the Conservancy to let them know we will be doing this. Mrs. Huhn said he was included on the email but we'll post it so he knows.

**C. HELLER HOMESTEAD WIDOW'S HOUSE – 1890-1892 FRIEDENSVILLE ROAD – APPROVAL TO INSULATE THE ATTIC**

Mrs. Yerger said the Saucon Valley Conservancy requested that the attic in the Widows House be insulated to cut down on heating costs. They requested the use of a Rockwool product, however, the Director of Public Works was unable to find anyone who did Rockwool so he obtained a quote for a fiberglass-type insulation in the amount of \$2,122.00.

Mrs. Huhn said you have that proposal in your packet from USA Insulation. Insulating the attic is going to help with heat costs. We still need to have the windows done which helps with that. Unfortunately, she's not sure what a Rockwool product is, but she thinks having insulation installed will help immensely with the loss of heat.

**MOTION BY:** Mrs. Stauffer moved for approval to insulate the attic in the Widows House in the amount of \$2,122.00.

Mrs. Stauffer said last year we helped the SVC with their heating, is that their contention this year? Mrs. Huhn said they have not requested assistance with the heating, and we haven't withdrawn that assistance at this point. If Council would like to discuss that, she knows heating costs are going up quite substantially this year so if you'd like to consider that, she can bring it back to another Council meeting with some estimates of what the costs would be. Mrs. Yerger said that would be good.

**SECOND BY:** Ms. deLeon

**ROLL CALL:** 5-0

**D. LOWER SAUCON FIRE RESCUE REQUEST FOR GRANT ASSISTANCE TO PURCHASE AIR PACKS**

Mrs. Yerger said Lower Saucon Fire Rescue is here tonight to present their grant request for air packs to Council. Mr. Carocci said this came up at a Fire Services meeting early in November. He asked them to come and make a presentation.

Mr. Krycia thanked Council for their time. On behalf of himself and Chief Ty Johnson, they are requesting \$79,520.00 for the replacement of their Self-Contained Breathing Apparatus. They did receive a grant from FEMA for this year in the amount of \$153,333.33 and that will replace some of their SCBA's, but not all of them. Just a little background, they do the Firefighters Grant every year. It's a competitive grant. Since they've been doing it from 2006, they combined about \$800,000 in Federal money. It is a competitive grant and you don't always get it but you at least try for it. The competitive grant, the vast amount of the grant is based on financial need, training information, call volume and responses, needs for the community, structure of the community, what kind of industries in the community, stuff like that. The fire company has to report the fire calls to the National Fire Incident Reporting System, which is a requirement of the grant and they have to do that in a timely manner, usually quarterly. They do it monthly, so they are compliant on that. Some of the grants they received in the past, 2005 under Leithsville there was a \$78,000 grant for an extraction system for exhaust. They did receive in 2005 again, Southeastern, a grant for \$55,000 for new SCBA. In 2006, they received a regional grant for radios and SCBA for \$365,000 which covers Leithsville, SeWyCo and Steel City. They got a COVID-19 grant in 2019 for \$10,000; and in 2020 for \$153,000 for replacement for SCBA for Southeastern Station. We'll talk about the current situation and I will turn it over to the Chief.

Mr. Johnson said due to our merger, LSFR operates two different manufacturers of SCBA, Scott Safety and Drager. The Southeastern air packs were out of date according to the last grant in 2005. Part of our operational plan is to have the equipment the same. Being that the Drager packs reached their life, they tried for a grant and this time they were successful. From a safety point of view to have the proper equipment for the men and women so they know the same operation on every air pack, they are asking for the funds to supply the rest of the equipment, the apparatus with the remainder of the air packs. Over the last three months, our officers have demo'd three different manufacturers and they picked Drager as it seems to be the one that is going to fit their needs. It's also the lowest priced air pack out there. They are replacing 23 air packs, 46 cylinders for a cost of

\$153,333.33 with a 5% match from the fire company at a cost of \$7,666.67. This slide talks about the research that was done. Fire Chief Billimoria broke it down to pros and cons of each pack. They went through that and made their decision based off of that and price did play a factor. They feel that the Drager was an outstanding pack for the money. They have history with Drager already.

Mr. Banonis said the units that are expiring that you are seeking to replace Drager, Scott or some other brand? Mr. Johnson said the ones under the grant are Drager units. The extra we are asking for is to replace the Scotts so their inoperability is the same. We've been working on that since we bought the first engine from LSFR until we bought the next one. The trucks are laid out the same with the same equipment. It makes it a lot easier when you are running out of multiple stations and its 3:00 a.m. and it doesn't matter what truck you go to or what seat you are sitting at, that you don't have to worry about which air pack you are putting on. In an emergency situation, if you have a downed fireman, everyone is familiar with the same pack. It's a life safety issue at that point. Mr. Banonis said there's value in uniformity and continuity with the different locations. With regard to the Scott units, what do you do with them, do you recycle them, do they give you a trade-in or what? Mr. Johnson said Scott has been looking into a company that would buy them. Mr. Krycia said he reached out to a couple of vendors that actually purchase air packs. They refurbish them. The Scott air packs that Se-Wy-Co has are about 7 years old. They were purchased with our insurance money from the Leithsville station fire and they replaced their whole line of air packs at that point. That was before they were a merged company. He has talked to several vendors interested in buying them and most likely what they will do is get the Drager's, get our guys trained, get them in service and start the process of selling the Scott units. Mr. Banonis said if you get money back on the trade-in, which obviously reduces the cost for the Drager unit, right? So instead of it being \$79,520 the net cost will be somewhat less. Mr. Krycia said correct. Mr. Banonis said would it be unfair for us to ask you guys to give us the amount you recover from the trade-in. Mr. Krycia said he doesn't have a problem with that. Mr. Johnson said put it back in the fire tax fund. Mr. Carocci said he was going to propose it be paid out of the Fire Services fund and then that money be returned to the Fire Services. Mr. Krycia said as long as that's good with the IRS. Mr. Johnson said that's for you guys to figure out.

Mr. Krycia said we'll talk about the cost analysis. FEMA gave them roughly \$7,120 per SCBA unit which consists of the packet itself, two cylinders and a face mask. This slide shows you the breakdown of the whole process. The Drager packs are coming in at \$5,680 roughly with all the specs they need on them whereas the Scott air packs with the additional specs are coming in at \$7,470 and the MSA are coming in at \$7,090. That's where they are with the pricing aspect. They did all of their due diligence. They met with each manufacturer. They demo'ed the air packs and had them on the fire trucks that the firefighters could use and they went with Drager for the financial aspect of it but also because Drager is the biggest manufacturer of air packs outside of the U.S. They pretty much own the rest of the world. Scott is the biggest manufacturer in the U.S. There's a lot of companies even that they respond to locally that have Drager's. Mr. Banonis said Drager is in PA, it's in Telford. Mr. Johnson said they hold 60% of the share of SCBA on the market. Everybody else makes up the rest. Mrs. Stauffer asked what the lifespans were for the packs. Mr. Krycia said about 15 years. This slide will show you the cost. If they got the 23 SCBA/46 cylinders, along with the 23 masks, there's the net price they will pay out and they have a little bit leftover on the Drager side whereas if they went with Scott or MSA, the fire company would have to pay into it to satisfy the grant. If you see the note below it, for the Drager's they can get 27 packs for the 23 they wrote the grant for whereas for Scott's they'd only be able to afford 20 and for MSA's, that would be 22. Their request is real simple, they are asking for a \$79,520 for the replacement of 14 of the packs and that would complete their allotment of air packs that they have which is 40. Mr. Banonis said how soon can they get them to you? Are they in stock or stuck on ships? Mr. Johnson said its 12 weeks as it stands now. It's like everything else, the biggest backlog is the cylinders because they are made for multiple SCBA companies like the MSA will use the same cylinder which is on your back and holds the air. The pack itself probably isn't going to take that long.

Mr. Carocci said at the Fire Services meeting, you mentioned that you are still getting 2021 prices here but next year the prices will go up. Mr. Johnson said Drager's price is going to go up in February. He thinks Scott's is going up in December and MSA's was January. That's why they are here now to beat that timeframe if possible. Mr. Banonis said it's a three-month delay in getting them and how many months before you can sell the Scott's? Mr. Johnson said they have to train everyone on them. A lot of the guys are trained in the Drager anyway because they cross-trained the guys who traditionally wore the Scott's packs out at Se-Wy-Co station, they trained on the Drager and the Southeastern have trained on the Scott's.

Mr. Banonis said assuming we approve this tonight, would it be fair to have you replenish the Fire Services Fund for whatever you get the trade-in of the Scott's by June 30, 2022? Mr. Johnson said yes, that's fair, pending no delays. Mr. Carocci said he spoke with Cathy earlier this week and she thinks the actual Fire Service Fund is \$908,020.42 and year-end estimate of \$911,000.00. If we approve this tonight, it reduces the balance to \$831,480. Cathy also estimates the 2022 estimate tax revenue will be \$340,000 for a total of \$1,171,480 a year from now if nothing else was spent. He doesn't think it's depleting it too much for this expense.

**MOTION BY:** Mr. Carocci moved for approval of the grant request from Lower Saucon Fire Rescue to purchase air packs at a cost of \$79,520 with the understanding they would reimburse the fund by June 30, 2022 based upon the trade-in they get from the Scott's.

Mr. Johnson said the trade-in might be worth \$20,000. Mr. Carocci said then the estimate next year would be \$1,191,000, so it's \$1.2 million.

**SECOND BY:** Mr. Banonis

**ROLL CALL:** 5-0

**E. APPROVAL TO REIMBURSE LOGAN KADE FOR SUPPLIES USED IN BUILDING A KIOSK AT THE HELLER HOMESTEAD**

Mrs. Yerger said Logan Kade has completed a kiosk at the Heller Homestead for his Eagle Scout project and is requesting reimbursement for the building supplies for the kiosk in the amount of \$572.99.

Mrs. Huhn said Logan constructed a kiosk for his Eagle Scout project and kept track of all his expenses for reimbursement. We usually do this for the Scouts. They do try and get donations whenever they can which is getting a little harder to do today. Mr. Banonis said he doesn't want to tie up reimbursing Logan, but at one of the P&R meeting, one of the member's was concerned about the Plexiglas shield and there were some sharp edges. Logan had agreed to look at it. He's not suggesting we not pay him until it's taken care of as he's incurred these costs and did a nice job. Mrs. Huhn said she did see something about that and thinks it's taken care of, but she will check. Ms. deLeon said did he put it where the other one was? Mrs. Huhn said yes he did, and he did a nice job.

**MOTION BY:** Mr. Banonis moved to approve reimbursement in the amount of \$572.99 for building supplies for the kiosk built by Logan Kade at the Heller Homestead.

**SECOND BY:** Mrs. Stauffer

**ROLL CALL:** 5-0

**F. APPROVAL OF HELLERTOWN AREA LIBRARY AGREEMENT FOR 2022**

Mrs. Yerger said the Library Services Agreement between Lower Saucon Township, Hellertown Borough and the Hellertown Area Library expires at the end of this year. The new agreement becomes effective January 1, 2022 for a term of five (5) years. The Manager and Solicitor will discuss with Council.

Mrs. Huhn said what you have in your packet is the agreement that was forwarded to LST. Hellertown Borough has approved it on their end at their last meeting in November. You also have a memo from Linc with some of his items that he had questioned. Kristen has also looked at them

and shared them with the library as well. Mrs. Stauffer said correct. Ms. deLeon said were the changes that Linc... Attorney Treadwell said he just made some comments and questions. He doesn't know if it necessarily makes sense to go through every single one of them at a Council meeting. Mr. Carocci said he's not satisfied that the changes haven't been made, and he doesn't even like some of the changes. He thinks there should be an odd number of board members and LST should have more board members as LST provides more funding. The cover page wasn't even dated, but whatever. It seems there's a problem with State law where they refer themselves as Trustees instead of Directors. Even the State law got rid of the state guidance on libraries that he read on-line which read 7 or 9 directors, not an even number to avoid tie votes. He thinks it needs to be negotiated until it's acceptable. He'd make a motion to table it.

**MOTION BY:** Mr. Carocci moved to table this agenda item.

**SECOND BY:** Mr. Banonis

Mr. Banonis has a little bit of concern that our Township Solicitor was not involved in this process until after the draft was already provided to him. He doesn't know why it's being presented as a five-year contract as historically this has always come up to Council on an annual basis for funding. He's not sure why it's five years and he saw some reference to Hellertown getting a credit for in-kind services which he doesn't understand where that came from. This Township historically going back 8 or 10 years and provided a huge capital outlay to fund the library so he thinks we funded it very well and made our obligations and do it on a per capita basis which is fair and feels we need to look at this in a little more detail.

Mrs. Stauffer said she thinks this motion was made in haste as we have representatives of the Library Board here tonight to talk to us. Mr. Banonis said there is a public comment period after a motion is made. Mr. Carocci said he's sorry, we didn't get to public comment yet. We have a two-page document from Linc here, none of it has been addressed. It should have been addressed way before tonight. The date on this memo is November 23<sup>rd</sup>. Mrs. Stauffer said the date on the memo is the 23<sup>rd</sup> and it does say "Confidential". She provided this after Thanksgiving to the Library Board as she's not going to provide it without permission from our Solicitor. Mr. Carocci said we need to go beyond this. They are calling Trustees. Again, LST should have more representation on the board than Hellertown Borough (HB) as we pay more money.

Mrs. Stauffer said we pay the same per capita. Mr. Carocci said we pay about twice as much as HB, if not more. Mrs. Stauffer said we pay the same per capita. She wants to clarify some research she's done regarding the language between Director and Trustee. The Office of the Commonwealth Library has lots of training and resources available. Many of their documentation references the term Trustee. She spoke with four people this week to make sure the Library Board understood this as well and that we all understood it tonight. It's a point of semantics and while the office, the State Association kind of recommends Trustee verbiage it is true our State Law 9138 does say Board of Directors. It's up to the municipalities and the Library Board which term they will choose. Mr. Carocci said if it's a matter of semantics why can't they change it? Mrs. Stauffer said not that they can't, she just thinks as a Council we need to ask and if we table it, we can't ask that tonight.

Mr. Carocci said that's exactly what we are doing by tabling it, we're asking them to change the agreement, that's exactly what we are talking about, by tabling it. Mrs. Stauffer said we're asking them to change the agreement but not asking them as a Council as to specifics as what to change other than saying here take a look at what our Solicitor said to change it. Mr. Carocci said he wants to see it in an agreement and he wants more. Why was HB getting credit for their in-kind contribution and we're not. They are saying we are not going to give you that much cash. We paved the whole parking lot for them and aren't getting anything.

Mrs. Stauffer said for capital contributions, LST has done a fair amount of contributions. Mr. Carocci said where's that? Mr. Banonis said the in-kind, the per capita isn't the same then as it's been reduced by the in-kind from HB. Mrs. Stauffer said it's not being reduced, HB is paying per capita, LST is paying per capita, the in-kind services were asked of the Board at a HB meeting for the Board to

include. There's two masters here, correct. In the sense there are several parties that have to come together, the Board needs to make both HB and LST happy in order to exist. Mr. Banonis said the library exists on its own just like the fire companies exist on their own. Mrs. Stauffer said that's true. Mr. Banonis said the library is not a derivative or department or agency of LST, it's its own private entity that exists based upon the funding it gets from donations, from capital expenditures, from HB, LST, the State so it's not existing as an arm of LST. Mrs. Stauffer said it's not existing as an arm of LST, that's not what she said. She is saying that we, as a Council, we as LST provide funding to the library. If we have requests we would like to see included in this agreement, now is the time to ask them. Are we asking them to include everything on our Solicitor's list, that sort of a motion needs to happen, not a motion to table it. Mr. Carocci said he made a motion to table it as he wants to add to Linc's list and wants more Directors for LST as we pay more. He'd also like Leslie to look at the cost, we're not required to belong to Hellertown Library and we belonged to Bethlehem a couple of years ago. He would like to know the cost of that and the benefits to belonging to that and to Southern Lehigh. He would like to see those comparisons and the benefits they provide compared to the cost, it would be more or it would be less, that's why he tabled this. Mr. Banonis said he'd like to see some sort of usage data. How many LST residents are actually using the HAL and with what frequency. Mrs. Stauffer said she thinks we can invite our Library Board representatives up to discuss this. Thank you for coming tonight.

Julia Sefton is the President of the Board said they've been working on this agreement since the first meeting that Leslie and our Director had and Cathy which was in May. This comes as a surprise that there are all these issues since we have been in communication with your Township. Mr. Carocci said he'd like Leslie to address that comment about the surprise and issues. Mrs. Huhn said you're correct, she doesn't have her notes when they exactly started to meet but it was probably in May. We went back and forth on several items. She believes the by-laws were outside of our agreement and they had been approved prior to the agreement and at one point she mentioned that was kind of the cart before the horse having the by-laws being done before the agreement was finalized because they are tied together. There were issues they pointed out when we meet in the summer, in August. When we met in the summer, we talked about you would adjust that certain area of the by-laws we talked about and we kind of hashed it out that day of the appointments and vacancies and how we did it and how we would do it and we agreed we would do it the same way in the agreement that there would be the process of the 90 days and it would carry into the by-laws. Since then, and she was not aware of all these items on our Solicitor's memo, she believes he had given them to Kristen early on in the year. Mrs. Stauffer said they are not the same. Mrs. Huhn said not all of them, but she believes he addressed some of the concerns about the Trustees vs. the Directors.

Mrs. Stauffer said it was a term in making sure it's clean across the board. Mrs. Huhn said we didn't discuss that in our meetings with Cathy Hartranft and Noelle because that was not something that she was instructed to ask for. Our Solicitor had mentioned it because it kind of conflicted with the State law. That was something that was going back to you to the Board separately. She was not aware of all these items until he looked at it and he wasn't looking at it through the process. Mr. Banonis said there was a representation that took place in May and one in August, the memo we have from Linc is November 23<sup>rd</sup>, so he wasn't part of it, until you got his memo. Mrs. Huhn said she did mention that Council had offered our Solicitor but she thinks at that time Noelle and Cathy thought it wasn't necessary because HB wasn't looking at it. Mrs. Huhn said Council had said they would offer the services of our Solicitor for free. This is the first he seen it. Mr. Banonis said was that offer accepted? Mr. Carocci said there was a phone call at one of the Zoom meetings and he thought it was accepted.

Attorney Treadwell said let him clarify a couple of things. He reviewed some documents that Kristen sent him which were by-laws and more internal library stuff and he had some comments and he gave them to Kristen and he thinks she gave them to the Board. As far as the Tri-Party Agreement goes, he wasn't involved in that process although Leslie mentioned to him in the summer or early fall that she had suggested that he come to a meeting and that suggestion was met with we don't need him.

Okay fine. Then he saw the agreement and had these questions and comments from the agreement. He didn't see the agreement until after HB had already voted to adopt it.

Mr. Carocci said that's what he finds unacceptable. Linc offered to go to a meeting. Mrs. Huhn said that's her concern also she hadn't seen this agreement after HB had revised it. There were revisions made at HB's meeting that were not discussed between the three of us. Mr. Carocci said you basically gave HB the agreement and are giving it to us and saying take it or leave it, and he's saying for tonight we are going to table it and leave it. There's no reason why we shouldn't have gotten this earlier. HB apparently got it in the beginning of the month.

Ms. Noelle Kramer said nothing was sent to HB that wasn't sent to Leslie. HB didn't get anything that Leslie didn't get. Mr. Carocci said at the same time? Ms. Sefton said when she gets an email she sends it to both. Mr. Carocci said the agreement, when was it passed by HB? Mrs. Stauffer said mid-November. Ms. Kramer said the date of the meeting....Mr. Solt said he knows it was passed last week. The only change that was made since then was various small change regarding that HB would not be obligated for the in-kind services; it was not removed from the amount given as part of the funding. The per capita is equal between LST and HB. That was something they asked to...Mr. Banonis said the agreement that was given to Leslie, this is the one that HB approved as they added in the language of the in-kind. Mr. Solt said it was not on the agenda until last week and it was approved with one change. Their draft agreement was sent November 5<sup>th</sup>, and Noelle copies both municipalities. Mrs. Huhn said you are correct, they do both get the same emails from Noelle. Mr. Solt said and what they've done with this agreement, he was not involved when it was first created, but it's effectively the same exact agreement that was created, simply just the dates changed and some very minor things. Linc did review the by-laws. He knows when the discussions started between Leslie, Noelle and Cathy back in the Spring, the key thing was about updating the by-laws, working on the rotation, as no one could get the rotation it didn't make any sense. They had many, many meetings and many months and hashed it out. Predominantly the thing they looked at was from the OCL, a 50-page handbook about managing a library. That's where the title Trustees comes from. He does completely understand that there's an inconsistency as far as Directors vs. Trustees. That was the guidance they used from the OCL. That's the reason the Trustees wording is in there which is in their by-laws. That's separate from their agreement, but they fixed the rotation which was the key thing they wanted to work on. They definitely took Linc's comments, criticisms, under advisement, and they did make some changes. He can't tell you how many versions of the by-laws they worked through and that was the key thing. They wanted to have that done before the agreement was done.

Mrs. Huhn said are you able to pinpoint at what point our capital costs were removed? The initial funding and capital costs that had been in the agreement and now are not in the agreement. She doesn't recall discussing that with you and Cathy that it needed to be removed. Ms. deLeon said the history should be there. Mr. Carocci said or when HB's was put in.

Ms. Sarah Phillips, LST resident said they have been working on this since she joined the Board, for months, and they do appreciate your time tonight. They are looking to get the agreement approved tonight or approved with conditions from you. They did get that from Hellertown and they had that one condition where they had the emergency meeting to consider. They are taking things under advisement. They figure the by-laws can continue to be updated. In fact, she went through the list with Mr. Hughes and there's a number of things on there that we can add and they don't have a problem with that. She doesn't know that you want to go through the bullet points tonight but they have gone through each and every one. The in-kind contributions they looked back at HB's for five years and they understand LST has some and didn't realize those had been taken out. The point she wants to make tonight is this agreement is not historical. It's not looking back. We are looking to go forward like HB and LST. Mr. Carocci said why was five years of HB's in-kind services looked at. Ms. Phillip's said they were using that as a road map for what they could potentially be for the next five years. Mr. Carocci said then why were our capital improvements taken out, that was looked

at for the next five years? Ms. Phillips said she doesn't know. Mr. Carocci said November 23<sup>rd</sup> the week of Thanksgiving we got the agreement and tabling it is...Ms. Phillips said the 23<sup>rd</sup> was when Linc sent his comments, we sent this prior to that. We do want to keep the conversation going and if there's a better forum to address a list like this, they are happy to do that also. Mr. Carocci said he thinks there was a better forum when Linc offered to go with a meeting with you and hash all this out before we got here tonight and you said no. You said no. Mr. Banonis said so the services were offered and they were declined, now it's being imposed upon us that somehow we should accept this agreement but our Solicitor just looked at this 8 days ago and he wasn't involved in the process. Mr. Carocci said he agreed for free to be involved in the process. The Township would have paid his legal bills.

Attorney Treadwell said we've been discussing HAL issues a long time. When they have an agreement that has three parties that are supposed to sign it, it makes sense for the three parties to get together. This is the way they normally do things in the normal world. The three parties get together and they sit down and come up with language that everybody agrees to, and that hasn't happened in this instance. He doesn't represent HB and doesn't necessarily know anyone from HB Council, but this Council before they agree to sign any agreement usually gives it to him to review. He doesn't think HB gave it to their Solicitor to review. He understands the library doesn't necessarily have an attorney, but they used to have one 10 years ago, maybe back when they first did the agreement. To him it would make sense if Attorney Corriere who is HB's Solicitor and himself sat down with somebody with the library and discussed the terms of the agreement. Then we could each take it back to our respective clients, him to LST Council, Attorney Corriere to HB's Council, and the library representative to the library board and say here's what we came up with. Mrs. Stauffer said if that was the case, how come Leslie and Cathy were doing this particular playing that role in these several meetings. Attorney Treadwell said maybe there's a little bit of miscommunication or misinformation there in that somebody refused his services. Those were the meeting that Leslie said she wanted to bring him and HB said no, they aren't bringing their attorney so you aren't bringing yours. Mrs. Huhn said HB didn't want to pay their solicitor. Mr. Carocci said that's not our problem. Attorney Treadwell said unfortunately what happens after that is that then he gets an agreement and is told HB already adopted this agreement, but we didn't agree to it. It's not disrespectful, we didn't agree to it.

Ms. Noelle Kramer said she was at the meetings with Leslie and Cathy and she misunderstood. She understood you were going to ask for Linc's input just as Kristen did and Kristen got back to them. There was never a formal invitation to physically attend a meeting, they certainly would have accepted that had there been. They were under the impression you would take a look at it and you would give us your review, which you did and that we should move on from there. She believes there has been a miscommunication. It certainly wasn't a blatant disregard for your wishes or an outright refusal for your help.

Mr. Banonis said he's looking at our proposed budget the final budget. Item 456, 2022 proposed for the library contributions, \$105,227. That's a lot of taxpayer money that you are asking us to sign this agreement and move on. Our Solicitor hasn't had the opportunity to participate in this process and just now 8 days ago, excluding Thanksgiving and Black Friday and Saturday and Sunday, it's really four days ago, for us to digest this and come to a resolution. He'll tell you right now he's not going to do it. There's a motion that's been made and he seconded it. You can try to convince him otherwise, but you are not going to. His position is what it is. It doesn't mean he will not consider this in the future, he's not considering it now as it's only being presented to him with a few days' notice and there are questions that have not been addressed and the opportunity to have them addressed was given and was either declined or misunderstood. That's where he's at. Mr. Carocci said he liked Linc's proposal of getting together and hashing out an agreement that's acceptable to this Council and acceptable to HB and the library board. He thinks that's going to take time, so he stands by his motion as well.

Ms. deLeon said so what happens on January 1, 2022, the library opens, do we have an agreement or do we not have an agreement because people are going to want to use the library. Ms. Kramer said unfortunately that is above and beyond us, that goes to the State Library Association. She has asked that question to the district representatives and they have escalated it to Harrisburg. She cannot speak on that. Mr. Carocci said why wouldn't you be able to open on January 1<sup>st</sup>? Ms. Kramer said she doesn't know if they'd be able to serve the community, that does not have a home library. Access PA is based on having a home library and if LST does not have a home library they do not get library services at LST nor Hellertown nor any other library and that is not something we have any control of, that is a State function. Any library that does not have a home library cannot have library services in PA. Mr. Carocci said but if Southern Lehigh was our home library, or Bethlehem was our home library, we would have a PA State Library card, and our residents could go to any library. Ms. Sefton said Sir...Mr. Carocci said don't interrupt me, do not interrupt me. Freemansburg Borough does not have a public library, Pen Argyl, Stockertown, and Wind Gap Borough, so that's why he wants an analysis done, what it would cost at Southern Lehigh, what it would cost at Bethlehem, and what their programs are. How thorough they are, Hellertown is quite a small library. He doesn't mind paying a little bit more in library services for better services. Ms. Sefton said...Mr. Carocci said hold on, I'm not done yet. Mr. Carocci said apparently, Mrs. Stauffer doesn't either. He read aloud from the October 6<sup>th</sup> Council meeting, Jason Banonis said the numbers we've allocated here for the Hellertown Library is actually in excess of what the library has proposed to us, so Mrs. Stauffer was suggesting, we should budget greater than what the library is actually asking and he said Mrs. Stauffer said yes, she thinks that would be wise. So if we would go to Bethlehem, or Southern Lehigh and spend a little bit more money, but we have better services, that's fine. Any resident that lives in LST can still get the State Library card like his wife has and his wife goes to Bethlehem as there's a bigger selection and then they can use the HAL with the State Library card because they are obligated as they take State money. He thinks we need to study that issue while Linc and the HB representative and a library representation try to hash out an agreement. There's no reason why both of those functions can't happen simultaneously on parallel tracks and then it be brought before our Council and then a decision is made. We can't make this decision tonight, it's over \$100,000 in taxpayer money.

Ms. deLeon said is there a clause or something in the current agreement that expires on December 31<sup>st</sup> for an extension? Sometimes agreements have that, do you know Linc? Attorney Treadwell said he thinks what we are operating under currently, if he remembers correctly, was a one-year extension from the previous year, no change in the language from the one-year extension. Ms. deLeon said is there any way we can give another extension like extend it because she doesn't want to be caught on January 1<sup>st</sup> with our residents not having a library. Mr. Carocci said if an agreement can be hashed out between now and January 1<sup>st</sup>, they won't because we won't have a meeting. Mr. Carocci said we can always have an emergency meeting. He would like to see all this documentation. You are right, we may not have an agreement on January 1<sup>st</sup>, and he doesn't understand what the big deal is. Yes, they can refuse to offer services to LST residents and that's fine. Of course, he wouldn't look kindly at that. The other thing they have \$315,000 in their endowment, they aren't closing the doors to Hellertown residents.

Mrs. Stauffer said she'd like to speak, she hasn't had a chance. Mr. Banonis said this is not a crisis that was created by this Council. This is a process that has been going on for months and has now dropped on our laps, 30 days before the expiration of the agreement. He just doesn't see this as being something of such urgent nature. Ms. Kramer said whether we serve LST on January 1<sup>st</sup> without an agreement is not up to the HAL, that is a State function. We would lose our state funding if we violated their State rules. It is certainly something we wouldn't do in a punitive manner, we cannot afford to lose our State funding. Mr. Carocci said right he understands.

Mrs. Stauffer said there are several things here too; and yes, you can use those words. She thinks the library deserves more funding for what libraries across this county do for the public, the services they provide. At a meeting in 2020, or in here, when we did our first meeting in here, she thinks she

read a three or four page statement of everything that this library did to remain open during COVID when the libraries you mentioned did not. Mr. Carocci said Southern Lehigh had on-line programs. Just like our library did. Southern Lehigh had on line programs like our library, his kids went to them. Mrs. Stauffer said this library did everything...Mr. Carocci said Southern Lehigh's programs blows this library...Ms. deLeon said don't interrupt. Mr. Carocci said he's sorry. Mrs. Stauffer said the point here is that the library board has been working diligently. It sounds like there has been a miscommunication here tonight, but this library has been diligently meeting to make sure they are able to update whatever information they've been given by both the Township and the Borough. This is a volunteer board, a citizen board, we have had that conversation before. This is an act of dedication and there's no other reason for it. There have been many things this board has worked on, we have received, via email. We have a job description for our board members, there were hours put into that rotation configuration. If not, that rotation, then what's the proper rotation that will work? There has to be a way forward. It sounded like certain members of this Council are dangling the option of leaving the HAL for another home library, but residents will likely attend the HAL as it's here. Mr. Carocci said we haven't gotten those numbers and they were requested by Leslie at one time of how many residents of LST actually use the library, how many have library cards there and use the library. Mrs. Stauffer said she believes that's in our monthly reports and we send them quarterly and they go to Council.

Ms. Sefton said she thinks it's also important that we separate the agreement from the budget. These are two different issues. Mr. Carocci said they are not for him. They are not for him, when we spend...Ms. Sefton said she's speaking Sir. Mr. Carocci said go ahead. Ms. Sefton said right now the important time issue is the agreement. Mr. Carocci said that's because you made it a time issue by not getting it to us. Ms. Sefton said we started in May. Mr. Carocci said this is the first time we saw it and you have enough time to provide it to us. You made it a time issue and he disagrees that they are separate issues. When there's \$105,000 of taxpayer money and you want us to commit for five years, so it's really about one half million dollars at least as it will probably go up every year, of taxpayer money. The agreement is very important, very important, extremely important. It's over a half million dollars of taxpayer money. Ms. Sefton said she doesn't think the agreement has a price tag on it, it's a separate issue. You can debate the budget, but right now the thing that is before you is the agreement between the three. Mr. Carocci said the agreement does have a price tag. It has a price tag for us and a price tag for HB. That's why you put the in-kind contributions in there, it's a price tag. Ms. Sefton said they could certainly put your in-kind contributions in it as well. Mr. Carocci said you removed them. Ms. Sefton said they were five years old, there's nothing...Mr. Carocci said you removed them, they were the capital contributions. Mrs. Stauffer said capital contributions are historical. The in-kind contributions are representative of something HB asked for as a future commitment.

Mrs. Yerger said the bottom line on this is we have a Solicitor who has some doubts about this agreement. He is our Township Solicitor and that's what concerns her. This is for the benefit of our residents and she wants it to be correct. Mrs. Stauffer said then can we have a meeting, can we call that meeting for December 15<sup>th</sup> to have this information that Tom would like and that Linc and Corriere can sit down and talk. Mr. Carocci said he'll only be ready for it if we also have the information for Southern Lehigh and Bethlehem. He'd prefer not to have that meeting.

Ms. deLeon said what are the in-kind services that the Township does for the library annually. Mrs. Huhn said she doesn't think it's annual. Ms. Kramer said it is annual, oh you mean the Township? The Township has not done annual in-kind services, only HB has. Mrs. Huhn said in the past we have paved the parking lot, we have worked on the sidewalks, we have cut the trees. Roger has a list of what we have done. Ms. deLeon said when was the parking lot paved? Ms. Kramer said she believes it was in 2014. It was at the time of the original merger. You mentioned the per capita, those in-kind services are above and beyond the per capita spending, excuse me, the per capita is the same for LST and HB and those in-kind services are above and beyond that. There's something in addition to the per capita.

Ms. deLeon said the issue is that you were there before we joined you and didn't HB own that property. Ms. Kramer said HB does own the property. Mrs. Huhn said you lease the property? Ms. Kramer said yes, for a dollar a year. Ms. deLeon said so technically they would plow it just like we do the Heller Homestead, and we do the Schoolhouse. Ms. Kramer said they also do regular repairs, for instance when our flagpole was broken they brought in a cherry picker and fixed it for us. They've done small repairs around the building when we've been in need of help, so those are the things they are referring to. Ms. deLeon said we aren't doing it, as we don't own the property. Mrs. Yerger said she is not comfortable signing a contract that our legal representative...Ms. deLeon said she's not suggesting we should. She's just saying we should be consistent with the terms and a lot of the other things that Linc brought up. She's nervous about January 1<sup>st</sup>, sorry. Mrs. Yerger said she is too, she's not happy. She is trying to come up with a way to fix that and if there's a way, we said we might have to have a meeting on December 15<sup>th</sup>. Mrs. Huhn said we meet on January 3<sup>rd</sup>, so are you open on January 1<sup>st</sup>? Ms. Kramer said they are closed January 1<sup>st</sup> and 2<sup>nd</sup>, and open on the 3<sup>rd</sup>. Mrs. Yerger said a day as far as having it legally correct. Ms. deLeon said are they in jeopardy of some State something. Yes, they are, she heard that three times tonight.

Ms. Kramer said the State funds are predicated on our service area, so if our service area changes, our State funding will go down. Ms. deLeon said she remembers all of this...Mr. Banonis said on January 4<sup>th</sup> you are not eligible for State funds for the expanded service area? Ms. Kramer said she cannot speak for the State. Mr. Banonis said it seems punitive to preclude you from getting State funding...Ms. Kramer said and you are suggesting the State would never be punitive? Mr. Banonis said he's suggesting...Mr. Carocci said what if we did this? What if we vote on his motion to table it and then we can make a motion to, regardless of the contract status, during January make a one-twelfth payment in January of 2022, that would get us through January and give everybody more time, so there would be no contract but we make one monthly payment in January. We would have a second motion to make a monthly payment in January, which we do one-twelfth of the budgeted amount and that gives us until January to hopefully hash out an agreement with HAL. If not, we'll have to go elsewhere and that gives us time to make that decision also. Then nothing happens on January 1<sup>st</sup> as you are not going to have a contract. Ms. Kramer said again that's up to the State, we cannot make that determination. Mr. Carocci said that's fine, it's a solution and he highly doubts that if we are funding you and send you a check that the State isn't going to consider it.

Mr. Banonis said what you are suggesting Tom to make a one-twelfth payment but to extend the current contract by one month? Mr. Carocci said yes, 30 days. Mrs. Stauffer said Linc does that make any sort of sense? Attorney Treadwell said we can take the contract and extend it another year, but he thinks the idea was to try and fix as these volunteers have said, is try and fix some of the issues we've had over the years with the rotation and the wording and everything else, but if we extend the existing agreement for another month then it gives us that time to do that. Mr. Carocci said let's do that. Mr. Banonis said is 60 days sufficient to get together on this? Attorney Treadwell said is anybody at the table a representative from HB? No one was. So, what he would suggest is perhaps tomorrow Leslie can call the Borough Manager and ask if they will make Attorney Corriere available, and if they do, he can probably meet with him for an hour and figure this out. Ms. deLeon said in sequence, you could withdraw your table motion and make this other motion to extend the contract...Mr. Carocci said no. Ms. deLeon said if you table something, you can't take action on it. Mr. Carocci said we're tabling it until January and we are extending the contract. Ms. deLeon said we have to extend the contract so you are making action on something that you tabled.

Mr. Banonis said what he's tabling is the five-year agreement that's before us. Mrs. Yerger said he's tabling the new contract. He's extending the existing contract. Mr. Banonis said its two existing matters. Ms. deLeon said okay she gets it now. Mrs. Yerger said they will have coverage through January.

Mr. Carocci said his motion has a second part, he wants to direct Township staff to look into the viability of Southern Lehigh Library and Bethlehem Library as an option for LST residents and what

that funding level would be and the services they would provide. He wants that done over the next 60 days. Mr. Banonis said he would shorten that so we can actually discuss it at the Council meeting in January, 60 days would be the end of January. Mr. Carocci said right.

Mrs. Stauffer said I think this will upset the Library Board because there will be available positions on the board, the board needs to continue doing business of the board. Mr. Banonis said they can extend it just like we are extending the contract. Mrs. Yerger said do we need this to be two separate motions. Ms. deLeon said are you talking about vacant seats? Mrs. Stauffer said yes she is because according to the rotation, there's going to be available seats, so we will be continuing the Library Board and then they would be a member until the end of January or end of February if that's how long this takes. Mr. Carocci said it's up to them. Mrs. Stauffer said it's not, we have to make the appointment. This Council will have to appoint.

Ms. Phillips said she has one question for Mr. Treadwell, have you read the current contract, is it legal to extend it one month. Attorney Treadwell said he doesn't have the current one in front of him, but he's trying to remember what we did last year. We did an MOU, so if we can extend it for a year, we can extend it for a month. Ms. Phillips said she's 100% in support of having a meeting between the three parties. They had expected that was what was happening between the Manager's and Noelle, but she agrees, she thinks if we can go through this list and fix things that need to be fixed and argue off record, then you can come up with a much better product and save everyone a lot of time.

Attorney Treadwell said he would just ask that whether it's one or two people from the library, however how many people it is, but somebody, we can have a meaningful discussion with about why do we have eight members one of them being a President, but yet the President doesn't get to vote. Ms. deLeon said yes, she doesn't like all that. Attorney Treadwell said it just seems to him, and again, way more detailed than we have to go into tonight. Ms. Phillips said would you like us to clarify now or.....Attorney Treadwell said no. Ms. Phillips said it is a bit unorthodox and trying to get away from situations like this. Attorney Treadwell said it's just more detailed than we have to go into tonight. When the President doesn't vote, you are only going to have seven members and you aren't ever going to have a tie, so in most organizations, the person that gets elected President is usually the one that's the most liked, but then you are turning around and telling them you are the President you don't get to vote. Ms. deLeon said is does run into problems, an odd number has to have the Chairmanship. Ms. Phillips said we have been operating a little differently than that. We are trying to have it not be contentious, we're trying to come to a general agreement. Ms. deLeon said you can't do that. Ms. Phillips said you can do that if we keep talking which is what we'd like to do, keep talking with you also. We all obviously like words. We like to read your legal words, so we're happy to continue the conversation and she does appreciate your time tonight. Is there anything else they can answer for you this evening before you proceed with your other options and things like that?

Ms. deLeon said she just wants to make sure on January 1<sup>st</sup> you are legal because she sat through many meetings when we were going between the Bethlehem and HAL and she heard a lot of law and she remembered it and she's right. Ms. Phillips said she would make sure the current agreement is able to be extended as that Access program is pretty particular about what they want. Mrs. Yerger said he looked at it. Attorney Treadwell said he looked at last years, he'll look at it again. Ms. deLeon said we aren't meeting on the 15<sup>th</sup> then? Mr. Carocci said he doesn't want to, he thinks we need to make a motion to cancel it. We have a couple of motions, let's start with the motion to table, approval of the agreement, and for the Township staff to be directed to look at other options, the School District, Bethlehem, Southern Lehigh or any other ones they can come up with. Mr. Banonis said prior to the January 2022 meeting. Mr. Carocci said yes, the second meeting. Ms. deLeon said Leslie do you remember what we paid the City of Bethlehem per capita? Mrs. Huhn said she might have that information. She said back in 2013, we paid \$183,467.00. Mrs. Stauffer said Bethlehem's

per capita is over \$18.00 per person. Ms. deLeon said so I understand, we are tabling the new agreement. Mrs. Yerger said this is just for the new agreement and we'll have to do a second one.

**ROLL CALL:** 5-0

Ms. Opthof-Cordaro said she was watching everything go on, and one thing that struck her was that nobody at tonight's meeting can speak to what will happen to the Access residents and whether or not the Township's extension of the old agreement or paying portions for what we used to, to access the library or not. She's hopeful that in one of these motions that come forward that somebody can say before December 31<sup>st</sup> or before the proposed December 15<sup>th</sup> meeting that somebody contact the State Access Library Board or whoever it is from the State's perspective as nobody here can speak to them and get some assurance that we will get some continued library service and she just says that as we are all just assuming the State is not going to do this and the State isn't going to do that, but nobody has any information before us what the State will do, so she's asking that we can get, whether it's Linc or somebody, contact the State and get a hold of their Solicitor or whoever it is to confirm that our library Access is not going to be jeopardized for the whole year of 2022, whether it's a punitive action or it can be done at any time during the year, or whatever it is. That was her comment if we get stuck holding the bag because we didn't check with the State and the residents don't have a library until we have a new contract for 2023, which would be really harmful to everyone. Mr. Banonis said we aren't assuming anything. We're extending the contract till the end of January. Ms. Opthof-Cordaro said they are saying they don't have control over what the State will do with your Access card to library services. They are saying they don't have control over that. Even though they'll agree to all of this and you extend the contracts for HB, LST and the library board, it still doesn't mean you are guaranteeing the State will give us Access if there's some disagreement or whatever's going on. Since there is no agreement tonight, it seems that's what is in jeopardy. She's hopeful you will contact the State, whoever is in control of this PA Access to confirm we are not going to lose library services.

Attorney Treadwell said is it a question of losing library services or is it a question of losing State funding. Ms. Kramer said both. Ms. Opthof-Cordaro said if we don't have a home library, you don't get access anywhere. Ms. Kramer said in the state of PA, any Township that does not have a home library, does not have access to the Access system. This system allows you to take your card from Hellertown and go to any other library that participates in the Access system in the State of PA. Attorney Treadwell said if we do not have a home library...Ms. Kramer said you do not have any Access to any PA libraries. Attorney Treadwell said not even the Hellertown Library? Ms. Kramer said correct. We are not allowed to provide the card to someone who doesn't have a home library because they will lose their State funding if they violate those rules. Ms. deLeon said somebody can use the library...Ms. Kramer said they can't check out materials, they can't access on-line services, and they can't attend programs. Attorney Treadwell said if he lives in LST, and he has a library card on January 3<sup>rd</sup> when he walks in the door it won't work. Ms. Kramer said she didn't know, you need to get confirmation from the State for that. She has reached out to the district to see how it works. Attorney Treadwell said so is the fix for that question for LST to identify the HAL as our home library. Ms. Kramer said that would require an agreement which we have not reached. Attorney Treadwell said we are extending the old one.

Mr. Carocci said we are extending it 30 days. We extended it for a year last year and nobody lost library services, nobody lost a card, nobody is going to lose their card, it's unbelievable and ridiculous. It's a 30-day extension, we extended a year last year and no one said a word from the State. Ms. Kramer said that's because we had a signed agreement at that point. Mr. Carocci said you'd have a signed agreement that's been extended 30 days. Ms. Kramer said you will sign an additional MOU, is that going to take place? Mrs. Yerger said yes. Ms. Opthof-Cordaro said so I guess her point is that MOU was signed by three parties, so while you want to extend the MOU for 30 days or however long, we still have to get HB and the library, which seems very amicable, there are those things to factor it, it's an agreement with three parties, so if we extend it, it doesn't mean it's automatically an agreement if the other two don't. If there's no joint agreement, then we're back

to having no home library. Attorney Treadwell said he doesn't think that's correct. He thinks we can probably have a MOU between the Township and the library extending one agreement and the library and HB can have another one. Ms. Opthof-Cordaro said she thinks you are right with that one. She said this discussion is important, if she didn't bring this up, y'all wouldn't have discussed that.

**MOTION BY:** Mr. Banonis moved to extend the existing MOU that extends the former contract that LST has with the HAL, extending it to January 31, 2022.

Ms. deLeon said so if the contract we are extending for another year, included HB, how do you do that if they don't sign it. Attorney Treadwell said we are going to ask them to sign it and if they say no they aren't going to sign it then they will have a two-party MOU between the HAL and LST and HB. We will try to get everybody to agree to a one-year extension, and if we are all going to get together and meet...Mrs. Stauffer said HB's last meeting is Monday. Attorney Treadwell said okay, we'll do the MOU tomorrow. Ms. deLeon said it looks like Plan B is going to be better. She's thinking out loud. Attorney Treadwell said he and Leslie can do the MOU tomorrow and take it over there with an explanation of how they'd like to proceed. Mrs. Yerger said ok, do you understand? Ms. deLeon said I do. Mrs. Yerger said I'm just asking because you don't look like you are sure. Ms. deLeon said she's totally amazed at this whole thing. Mr. Carocci said so is he, it's \$105,000 of taxpayer money and we're on HB's schedule.

**SECOND BY:** Ms. deLeon

**ROLL CALL:** 5-0

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF NOVEMBER 17, 2021 COUNCIL MINUTES**

**MOTION BY:** Mr. Banonis moved for approval of the November 17, 2021 Council minutes, with corrections if needed.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**VII. COUNCIL & STAFF REPORTS**

**A. MANAGER – Mrs. Huhn** – No report

**B. COUNCIL**  
**Jr. Council**

Kennedy Pacchioli said good afternoon everyone, I am Kennedy Pacchioli, Jr. Council person and sophomore at SVHS and have just two small updates on SVHS. To start us off, MINITHON is hosting a babysitting event to create the perfect opportunity for parents to get a night out and do the necessary holiday shopping or anything of the sorts. This will be December 17<sup>th</sup> from 6 p.m. to 8 p.m. details like pricing and location are still being finalized. Theatre at the High School the musical was decided and our school will be performing Shrek the Musical in spring. The cast has already been decided and rehearsal start Sunday, December 5<sup>th</sup>. The final performances will occur around the first week of March, but exact dates are to be determined. Other than that it is pretty much a dormant time for Saucon Valley... time in between the Thanksgiving break and the holiday break so yes that's it thank you!

**Mrs. Stauffer**

➤ She said the Historical Society passed around that Jim Sturm has passed away. He will be missed.

**Mr. Banonis** – No report

**Mr. Carocci** – No report

**Mrs. Yerger** – No report

**Ms. deLeon**

➤ She said on November 26<sup>th</sup> the Chamber held a very successful Light-up Night.

➤ She wants to go on record on the landfill odors that she personally smelled on her property, September 19<sup>th</sup> at 5:30 p.m., very strong, October 2<sup>nd</sup> at 10 p.m. strong, November 3<sup>rd</sup> at 6:10 am, very strong, November 14<sup>th</sup> at 10:30 p.m. strong, November 16<sup>th</sup> 10 p.m. strong, November 17<sup>th</sup> at 10 p.m. a slight odor, November 30<sup>th</sup> from 12:10 p.m. to 12:30 p.m. strong,

and then it dissipated. She asked Tom to ask the landfill about the capping schedule. Mr. Carocci said okay.

- She went past the SVC and saw they are having an event on the 9<sup>th</sup>, have we approved anything? Mrs. Huhn said they have not submitted anything. Ms. deLeon said can they have an event without us approving it? Mrs. Huhn said it's their Christmas party. Ms. deLeon said she doesn't remember if they ever did a Special Event form. Mrs. Huhn said they didn't have one last year. Attorney Treadwell said don't we lease the building to them. Ms. deLeon said she's not being negative about it, they had that thing in the Fall and had to have a Special Event form. Mrs. Huhn said it was the festival. Attorney Treadwell said that's probably a bigger type thing.
- Luminary night is December 11<sup>th</sup> from 5 p.m. to 7 p.m.
- PennEast Pipeline, from 7 or 8 years ago is finally dead. FERC had no idea, they read it in the paper and asked them to respond and the pipeline is dead. That's good news and thanks all the residents in the FERC process.
- It's sad about the loss of Jim Sturm. He was a well-respected man, knew Roberts Rules of Order, could speak German, was great at reading old German fractures and he was just a remarkable man. It was sad.
- She thanked Kristin for her services for the past two years serving the community on Council and she wishes her the best on her endeavors and her family and she wants to thank her.

C. SOLICITOR – No report

D. ENGINEER – No report

**VIII. PUBLIC COMMENT ON NON-AGENDA ITEMS – NON-RESIDENTS ONLY – None**

**IX. ADJOURNMENT**

**MOTION BY:** Mr. Banonis moved for adjournment. The time was 8:33 p.m.

**SECOND BY:** Mr. Carocci

**ROLL CALL:** 5-0

Mr. Carocci said we didn't cancel the December 15, 2021 Council meeting. Attorney Treadwell said you have to reopen the meeting.

**MOTION BY:** Mr. Carocci moved to reopen the meeting.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Carocci moved that we cancel the December 15, 2021 Council meeting due to lack of business and reconvene in January 2022.

**SECOND BY:** Mr. Banonis

**ROLL CALL:** 4-1 (Mrs. Stauffer – No)

**MOTION BY:** Mr. Banonis moved for adjournment. The time was 8:35 p.m.

**SECOND BY:** Mr. Carocci

**ROLL CALL:** 5-0

Submitted by:

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Leslie Huhn  
Township Manager

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Sandra B. Yerger  
Council President