

I. OPENING

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

II. PRESENTATIONS/HEARINGS

III. DEVELOPER ITEMS

- A. Henig Subdivision – 2174 Kistler Avenue – Dispute of Invoices
- B. AT&T Wireless Cell Tower – 1995 Leithsville Road – Request Extension of Time to Satisfy Conditions of Approval

IV. TOWNSHIP BUSINESS ITEMS

- A. Seidersville Hall Window Replacement – Authorize Bid Advertisement
- B. Woodland Hills Preserve Stream Restoration & Buffer Replanting Proposal Provided by ArcheWild
- C. County of Northampton – 2021 Municipal Solid Waste Management Plan
- D. LVIP VII Lot 54 – 1405 Easton Road Expansion – Preliminary/Final Land Development Plans
- E. Award of Sale of Township Property – 2008 Dodge Durango and 2008 Ford Crown Victoria
- F. Hellertown Area Library – Board of Trustees Appointment
- G. Guiderail Purchase & Installation at Reading Drive and at Waldheim & Apple's Church Roads

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of January 15, 2020 Council Minutes

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

UPCOMING MEETINGS

Environmental Advisory Council: February 11, 2020 @ 7:00 p.m.
Saucon Valley Partnership: February 12, 2020 @ 6:00 p.m. at HB
Township Council: February 19, 2020 @ 7:00 p.m.
Zoning Hearing Board: February 24, 2020 @ 7:00 p.m.
Planning Commission: February 27, 2020 @ 7:00 p.m.
Parks & Recreation: March 2, 2020 @ 7:00 p.m.
Saucon Rail Trail Oversight Commission: March 23, 2020 @ 6:00 p.m. at HB

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, January 15, 2020 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Sandra Yerger, presiding.

ROLL CALL: **Present:** Sandra Yerger, President; Jason Banonis, Vice President; Priscilla deLeon, and Thomas Carocci, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Thomas Barndt, Chief of Police; Jim Young, Zoning Officer; Brenda Detweiler, Administrative Assistant. **Absent with Prior Notification:** Judy Stern Goldstein, Township Planner & Tyler Dickens, Jr. Council Member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council did not meet in Executive Session this evening.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. Yerger said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones and state your name for the record. If you have a non-agenda item, she asks that you give your fellow public the courtesy of the floor. She asked if anything was taken off of the agenda. Mrs. Huhn said yes, Item III.B. Henig Subdivision has been postponed until February 5, 2020.

II. PRESENTATIONS/HEARINGS – None

III. DEVELOPER ITEMS

A. BLAIR LAND DEVELOPMENT WAIVER REQUEST – 1988 BLAIR AVENUE

Mrs. Yerger said the applicant is requesting a waiver of Land Development in order to construct a 1,464 sq. ft. warehouse addition to an already existing warehouse located at 1988 Blair Avenue.

Mr. Blair was present and said they have a 1,460 sq. ft. addition to an adjacent building on 1988 Blair Avenue. The entire area is asphalt so they would not be creating any more impervious. The existing building is roughly 22' high and the new building is roughly 16' high. Attorney Treadwell asked what is it currently used for. Mr. Blair said currently the big building is empty. They just spent about \$100,000 and refurbished it. They put in two handicapped bathrooms, LED lighting and lined the walls with corrugated metal, 22' high all the way around. He has a car collector that signed a lease for two years. He enhanced it a little bit more as Hop Hill came to him six months ago and wanted to expand. So they talked about it but they don't quite have the funds and the timing wasn't right.

Mr. Kocher said as this is a non-residential building and it qualifies for a land development plan, but due to the relatively small size and the fact you can see existing impervious cover, they felt there was no impact associated with that. If you want to do away with the land development plan process, they drafted a motion with three conditions. The first condition is the plan gets submitted to the Zoning Officer, second is they retain all necessary building permits and third that they still have to comply with all the regulations that they would have to comply with. This just gets him out of going to the Planning Commission and recording the land development plans.

MOTION BY: Mrs. deLeon moved to approve a waiver of Land Development for an addition at 1988 Blair Avenue consistent with the conditions set forth in the draft motion from HEA.

SECOND BY: Mr. Banonis

ROLL CALL: 4-0

B. HENIG SUBDIVISION – 2174 KISTLER AVENUE – DISPUTE OF INVOICES

Mrs. Yerger said this has been taken off of the agenda.

IV. TOWNSHIP BUSINESS ITEMS

A. AUTHORIZE COLLECTION OF 2020 REAL ESTATE TAXES

Mrs. Yerger said Council should authorize the Township Manager to direct the Finance Department to collect the 2020 Real Estate Taxes. Mrs. Huhn said this is the normal annual warrant that is provided to the Director of Finance so she is able to collect the 2020 Real Estate Tax. The millage rate is 5.39 and the base amount is \$2,904,991.76 of which \$454,615.30 is for the fire tax which is at the rate of 1 mill.

MOTION BY: Mrs. deLeon moved for approval of the collection of the 2020 Real Estate taxes as stated by the Manager.

SECOND BY: Mr. Carocci

ROLL CALL: 4-0

B. RESOLUTION #32-2020 – APPOINTING SPECIAL FIRE POLICE

Mrs. Yerger said Resolution #32-2020 has been prepared appointing the Special Fire Police. Mrs. Huhn said we do this annually and for the Special Fire Police that attend fires and help direct traffic. This is from Lower Saucon Fire Rescue. The Township did not receive anything from Steel City for the resolution, but she will check with them to see if there are any from Steel City and if so, will bring it back.

MOTION BY: Mrs. deLeon moved for approval of Resolution #32-2020.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF DECEMBER 18, 2019 AND JANUARY 6, 2020 MINUTES

MOTION BY: Mrs. deLeon moved for approval of the December 18, 2019 minutes.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0

Mrs. deLeon said on the Resolution which appoints everyone to sign checks, she didn't volunteer to be one of the alternates as a signer, then she noticed the motion said she was included and she wants to withdraw that. Mr. Banonis said it's Resolution #02-2020. Mrs. deLeon she wants her name to be stricken from that Resolution. Attorney Treadwell said the minutes are a recording of what happened so let's do a new resolution.

MOTION BY: Mrs. Yerger moved for approval of January 6, 2020 minutes.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0

Attorney Treadwell said we'll need another alternate. Mrs. deLeon said you have two alternates, you don't need another one. Attorney Treadwell said maybe Mr. Carocci is available. Mr. Carocci said he will be the alternate.

MOTION BY: Mr. Banonis moved for approval to have Mrs. Yerger and himself as the primary signatures and Mr. Carocci as the alternate on Resolution #33-2020.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0

B. APPROVAL OF DECEMBER 2019 FINANCIALS

MOTION BY: Mrs. deLeon moved for approval of the December 2019 financial reports.

SECOND BY: Mr. Banonis

ROLL CALL: 4-0

C. MONTHLY DEPARTMENT REPORTS FOR DECEMBER 2019

Mrs. Yerger said these are presented to Council once a month.

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. George Gress said he wanted to clear up some facts and apologize. Last meeting he accused Jason of attending only 56% of the ZHB meetings and that was incorrect once he went back and checked his facts, it was 58.8%. He does have copies of the minutes off the website if you want to

look at them, but he wanted to make sure the facts were straight on the record. Mr. Banonis said he still disagrees with that number but he appreciates his apology. Mr. Gress said he has the minutes. Mr. Banonis said he's not going to engage in debate with him on this. He's not sure what the relevance is. Mr. Gress said he just wanted to let everyone know of Mr. Banonis' attendance at the meetings.

- Mr. Joe Severn, Gail Lane, Lower Saucon, said he has property that connects to Mr. Swint's property, the garbage man. He'd like to know what is going on with this property. Swint is starting to move towards the gas line parking his equipment, dumping stuff over on the gas line and moving towards Mr. Severn's side. Mrs. deLeon said she has been complaining also to Attorney Treadwell about this. Mr. Severn said they took pictures, but something needs to be done. Mrs. deLeon said it's atrocious, DEP said it has nothing to do with them. Mr. Severn said he doesn't want to start any trouble, but this needs to be cleaned up. Mrs. Yerger asked have you contacted the gas company, she doesn't think they would be thrilled with that either. Mr. Severn said he is contacting them tomorrow. He'd like to know how can you give him permission to put up another fence closer to Applebutter Road. How can he even be putting a fence up? Attorney Treadwell said without disclosing any Township strategy, it's on the radar screen. They are clearly aware of that piece of property and what goes on there. They did have an Executive Session and Council did authorize Swint to install a fence, along with cleaning up the property. They are aware of it, but he's not going to get into details in a public meeting on how they would go about attempting to fix it. Mr. Severn said they couldn't even sell their property. Mrs. deLeon asked if there is an odor coming from it. Mr. Severn said yes. Mrs. deLeon said then DEP needs to know that. Mr. Severn said there's an odor, there's rats running around, and it's terrible. How can he dump a load of garbage on that property and get away with it. Mrs. deLeon asked Attorney Treadwell to tell the new members of Council how this all started, isn't that illegal. Attorney Treadwell said Mr. Swint's father back in late 80's or early 90's, got a variance from the ZHB to store trucks for his trash collection business on the property. That's what the variance was for. Obviously as you can see through the pictures, that has morphed into something else. The Township has been in front of the ZHB once with enforcement actions. It was not successful, but it's on the radar screen and they are aware of it. Mr. Donald Severn, Severn Lane, said he went down to talk to Swint about moving his vehicles off their property and Swint just stood there and cursed at him and told him he's trying to screw him over, so Mr. Donald Severn just walked away and that's when he parked two cars down there and put them up for sale to try and block their property line so Swint can't keep moving his trucks on their property plus the garbage. Mr. Joe Severn said he's down there picking stuff up every day that blows over to their side. Mrs. deLeon said maybe we can move this closer on the radar. Attorney Treadwell said it's being worked on and he doesn't want to get into the details of it. Mr. Joe Severn said tomorrow he's going to call DEP and the gas pipeline. If anyone has any recommendations what to do in the meantime, let him know. Mr. Banonis asked if they have retained an attorney to see what your possible recourses are. Mr. Joe Severn asked are you saying we have to hire a lawyer? Mr. Banonis said no, you asked for recommendations, and I'm asking if you have retained an attorney. He's not suggesting that. Mrs. Yerger said we're just curious if you did. Mr. Joe Severn said they didn't do that yet, but if it comes down to that, they will. Mrs. deLeon said when you call DEP tell them this is affecting your quality of life. The landfill isn't supposed to let odors escape from their property, so why should Swint be able to.

VII. COUNCIL & STAFF REPORTS

A. MANAGER

- Mrs. Huhn spoke with Mike Emili from Northampton County about the Meadows Road Bridge. He said they are still waiting to see if they can set up a meeting with FHWA and are trying to move that ahead, but he has not heard back from them. She also spoke with Mike McGuire from PennDOT and he said the department is reviewing the potential improvements in flooding where the bridge is to be replaced by a new structure if that is decided. They are also looking at the impacts of a potential new structure, so they are evaluating the stream bed at the moment, and really have no updates. Mrs. Huhn asked if their Natural Resource Study has been completed and he didn't get back to her on that yet.

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She sent an email back to him to see if that's something they could use with their PHMC submission that would help our consultants.

- Mrs. Huhn said the 2008 Crown Victoria and the 2008 Dodge Durango that was sold through MunicBid that we asked Council to approve, were not paid for within the required timeframe. MunicBid contacted the buyers and did not hear back from them so the second highest bidder was contacted but counter-offered less than the third bidder, so she's requesting, with Council's permission, to advertise those two vehicles on MunicBid again. Council agreed to go ahead and advertise with MunicBid for the vehicles.

B. COUNCIL/JR. COUNCIL

Jr. Council – Absent

Mrs. Yerger – No report

Mrs. deLeon

- She said the past week there was one or two odor complaints in Steel City from the landfill, which were reported from DEP and it's ongoing. She attended the EMS RoundTable with the Chamber and it was very nice and informative. She thanked the First Responders for what they do. She attended the SVP meeting last week and they are making progress. Carolyn from EDP attended and did a great job and was going over all kinds of issues and pieces of the puzzle.

Mr. Carocci – No report

Mr. Banonis

- He congratulated Priscilla deLeon as she's the President of the Saucon Valley Partnership on the rotating cycle, so that's a nice honor for her and he's sure she will represent the Township very well in that position. Mrs. deLeon said thank you.

C. SOLICITOR

- Attorney Treadwell said regarding the vacancy that currently exists on Council, they had a court appearance last Wednesday and the Nth. County bench has recused itself so we are currently waiting for an out of county Judge to be appointed and are in a holding pattern. Mr. Banonis said why did the Court recuse itself? Attorney Treadwell said because one of the applicant's husband is a Clerk for one of the Judges, so the bench felt it was in their best interest not to participate in this process.

D. PLANNER – Absent

E. ENGINEER – No report

Mr. Banonis called for an Executive Session to discuss land acquisition.

MOTION BY: Mrs. deLeon made a motion to recess the meeting at 7:30 p.m.

SECOND BY: Mr. Banonis

ROLL CALL: 4-0

Mrs. Yerger reconvened the meeting at 7:51 p.m. Attorney Treadwell said they discussed potential property acquisition and there is no official action necessary. We need to do some more homework.

VIII. ADJOURNMENT

MOTION BY: Mr. Banonis moved for adjournment. The time was 7:51 p.m.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President