

I. OPENING

CALL TO ORDER: The Environmental Advisory Council (EAC) meeting of Lower Saucon Township (LST) was called to order on Tuesday, November 15, 2022 at 6:32 p.m., with Sandra Yerger, presiding.

ROLL CALL

Members: Sandra Yerger, Dru Germanoski Allan Johnson, Ann Spirk, Cindy Oatis (via phone) and Laura Ray;

Associate Member: Jennifer Helton and Kaitlyn O'Connor Sommer; **Staff:** Carol Schneider. **Guests:** Jason Banonis, Dave Spirk, and Barry Kessler.

Absent: Members: Michael Boyle; **Associate Members:** Tom Carocci, Nicholas Lynn and Glenn Kaye.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF EXECUTIVE SESSION – None

II. OPEN SPACE SUB-COMMITTEE

A. PROPERTY UPDATES – Sandy gave update on the Open Space and brought everyone up to speed on things that have happened over the last few weeks.

- a. Property #2022-01: The Solicitor and Manager met with the residents at the end of October 2022 to review appraisal, draft conservation easement provided and awaiting resident contact after they review with their attorney.
- b. Property #2022-02: Appraisal was completed and provided to the property owner for potential preservation but the resident declined.
- c. Property #2022-03: The resident met with Township Staff after Land Conservation Workshop with Heritage Conservancy on October 11, 2022. Application provided to resident and awaiting a return call from them. Sandy said they were interested.
- d. Property #2022-04: The resident contacted the Township on 11/2/2022 to discuss the opportunity of preserving land. The manager will be meeting with this resident in the near future.

Dru requested if they can receive a more comprehensive update of properties that they have recommended but may not have heard back on. He said there was a property and he doesn't recall exact number or year, but there was a property on Skibo Road and they had recommended to Council to be considered for open space but he isn't sure what happened. He thinks there is more than one that he does not have a clear sense of what the outcome was. He is looking for the last few years as he wants to be able to close it on his end. Sandy said she will request and it hopes to have it by the next meeting. Allan asked how many people were interested as a result of the workshop, and Sandy said she knows of the one that has reached out. She said she thinks another two may be interested, but are having family discussions and they have not officially been brought to the Township. Sandy said preserving property is a complex process, so there is a lot of factors to be considered, both personal and financial.

III. NEW BUSINESS

A. REVIEW OF PROPOSED ORDINANCE 2022-02 TO AMEND ZONING MAP AND TEXT

EAC input is being requested for the potential project with regards to environmental issues. Dru said when he first saw this, he was astonished as what he perceives to be an inconsistency with their values, at least with EAC and as representatives of Township residents. Dru said he believes that Township residents voted twice for the tax to support open space as a Township. Laura added it was three times and Sandy confirmed. Dru said it implies to him that open space is valued by Township residents, so much so, that they volunteered to pay an extra tax. He said he realizes it is a small percentage, but who volunteers to pay an extra tax for anything? The Township residents are speaking to the importance to themselves of open space. He said when he looks at this real estate on aerial photos, it is not only open space, it is forested. Its adjacent to the Petrie property which is preserved, and slopes down to Bull Run, hydrologically, it slopes down to the Lehigh River. Dru went over the types of rocks and hills reviewing they are groundwater recharge areas. He said people think of metamorphic rocks as impervious, and he said they have low intracrystalline porosity but they are fractured. There are springs often at the base of these hills. Dru said when they think of open space, they look at environmental impacts and the environmental significance of real estate and the intrinsic value of open space. It is very hard for him to reconcile taking 275 acres of mostly forested land, rezoning it so it can become a trash pile. That is

really what they are being asked to decide, and he thinks it is entirely inconsistent with the word environment. He said often times we hear the landfill is providing us with a service of accepting our trash, when really it is a business transaction. They would be voting to facilitate that the open space be sold, in essence, to make way for trash from other states, from other people, and sometimes it is presented as some sort of altruistic endeavor, which nothing can be further from the truth. It is a money-making business, and that is fine, but he would say as an EAC, it is totally inconsistent with environmental stewardship, it is inconsistent with whatever percentage of our residents voted for when they voted to fund open space. The environmental significance is real – it is open space and it is connected to other open space that we voted to invest our fellow citizen's tax dollars to conserve, and if we endorse this, they would be voting in two very different directions with respect to open space initiative. He thinks as a group, he doesn't see how they could recommend this move forward and be rezoned to facilitate landfill expansion. Allan added that he agreed. Allan wanted to also mention that there are already conservation easements on these properties, and the City of Bethlehem and Lower Saucon Township (LST) have gotten together and they are going to cancel those conservation easements. Laura added this did not get on this agenda, but it is on for Council's tomorrow and they should discuss this and give an opinion on it. Allan said they are removing every barrier that would prevent the landfill from expanding and it is expanding in an area that is pretty much all forested in an area that was considered environmentally variable such years ago that the City of Bethlehem and LST both got together and legally created an easement on the property – an environmental easement. In the past, LST felt that it was environmentally important and so did Bethlehem, but now they are changing their mind, but nothing has changed there. The woods are still there. The steep slopes – from 600 ft. down to 400 ft. in 1000 horizontal feet. Laura said this is why she wanted to have the maps she requested so they can look at all of the environmental features because what they have shows nothing. Someone asked a question that was inaudible and Dru replied by saying the City of Bethlehem owns the largest tract to the north adjacent to the river, and the Bethlehem Landfill Company (BLC) owns the southern portion. Dru said when looking at parcel 5 and 4 is all Bethlehem, and roughly speaking, the tract labeled #6 is BLC. When you look at the recent satellite imagery, it is forested. It is all contiguous forest, and adjacent to the Petrie property which we have conserved. Dru offered to pull up different maps for Allan. Allan added that the area to the East, #6, is the most logical place for them to expand, considering area #1 is a cliff, and area #5 has some usable space down near the bottom, but #6 is probably where they are going to go, and geologically as far as flatness goes, that is where they are going to expand. Laura added that is where Bull Run is. Sandy added that he was saying that if you pulled one out, #6 might be the one that they could expand without being as environmentally impactful, she thinks that is what he is saying, she doesn't want to misquote Allan. Allan said that would be the least amount of earth moving for them to expand into #6. Kaitlyn added that it is still the contiguous open space, she asked Allan if he is saying yes to rezone area #6. Allan said no. He is just saying geologically, lay of the land.... Kaitlyn interjected and said #6 is the flattest, and Allan said not only that, it is adjacent to what they are now working on. Dru added it is all steep, it all has a steep slope element to it. Laura said when they did their natural resources inventory, she pointed and noted that an area was part of the Lehigh River corridor which is one of the highly prized areas to keep preserved. The forested slopes, a lot of natural habitat, the bat cave. She said she thinks gates were put up to help protect the bats, and this is all in that area. Dru added if you look at this space, in a purely objective manner, imagining there was no landfill, you would never choose this space to put a landfill. The reality of this is that there happens to be a landfill adjacent and they are looking to expand. It's not land that has been selected for any positive attributes that would render it suitable for a landfill. It is selected because it is adjacent to an existing landfill and the other reality is it is very difficult to go to a so called greenfield real estate and start a landfill somewhere. All landfills, if you pay attention to this region, Chrin and Waste Management Landfill in Pen Argyl, they are always looking to expand because they already have a footprint. Whether the real estate they are looking to expand into is suitable environmentally is never part of the question – it is simply adjacent and there is already a landfill. He thinks there are some people that look at it and say there is already a mess there, let's at least keep the mess in that area, but from his standpoint, and trying to consider environmental considerations, he feels it would be an absolutely unconscionable thing for him to recommend that they go forward with this being a good idea. It just isn't especially because LST residents vote to contribute to an open space fund with

the explicit purpose of expanding and preserving open space in the Township. He will, when the time comes, make a motion to discourage Council from even considering this within the context of the values of this Township and the environmental implications of this. Sandy asked if this was motion, because there can be more discussion. Dru said he would like to hear what others have to say. Laura added that in addition to the zoning, part of it was, this natural resource mitigation alternative basically says they can use the whole footprint and they can buy their way out of it and they have the money to do that. She said this just repeals all environmental protection we have in addition to the easements that will be discussed tomorrow. Jennifer added that going through just the changes, it takes out all reference to the environmental conservation. She had a lot of questions as far as what things mean, how does this help, what is best for our citizens as far as safety, health, and welfare. She feels it is a contradiction seeing that the land is already in a conservation easement. Changing the zoning laws and codes, she feels there is a lot more that could happen down the road. This has come up very quickly and not being able to do ample research. She is new to the area, but you should have one reading where citizens are able to look through it and understand it and then you come back for a second reading. This is different here, and this is a struggle for her to try to do research. Changing zoning codes is a big concern to her. Dru also added to take into consideration the impacts of this landfill on truck traffic on Applebutter Road. If you travel that road, you would know it has to be resurfaced significantly, driving down to the hard bend to the north was basically off roading because the trucks have damaged that road terribly. He said about two months ago, and after heavy rain, and the standard soil transfer from trucks going in and out driving up onto the soil and coming out on Applebutter Road - it rained. He drove through that and he came back out to his truck and it was covered with mud as if he was off-roading. He wished he would have taken a picture of it, and then recalled where he was driving which on Applebutter Road next to a landfill where the trucks are supposed to be hosed down, as he understands it, and not carry the soil out on the road. This is not what the people in this Township want to see happening, and doing this would facilitate that ongoing impact for maybe decades – a significant period of time. He feels this could threaten Lehigh River, Bull Run, and the little swale that drains down Applebutter Road. There are carbonates at the base of those ridges, and geologically they are recharge areas. The exact same rock, that we call in PA reading prong, they call the highlands in NJ, and he believes NJ has worked really hard to preserve land use activities on those ridges because of their environmental sensitivity and the role they play hydrologically. Dru added that most of the landfill around here started as dumps, and they started at old mine pits. That is the 1-2 sequence. There was a hole in the ground – where do you throw waste? Into a hole in the ground. Once you start the process, you have a dump, then you get a license as a landfill, and then try to expand around the margins. None of this was ever done as a form of wise land use management. When this all started pre-Clean Water Act, they didn't think of things from an environmental standpoint. If anyone wonders why the landfill was put there in the first place – as if it's a perfect location, it is not. He feels it is important as an Environmental Advisory Committee to think about the environmental implications. Ann asked how the expansion effects the taxing of the Township? Sandy replied that it (the landfill) is the biggest source of income for the Township. That is not an environmental issue per se, but it would affect it significantly. Laura added that all of the other places that don't have a landfill somehow survive. Sandy added that other municipalities have other industries, and we don't – every municipality is different. Allan added once you have a flow of revenue, you learn to use it, you find things to spend it on and that is what we did. He asked about how much we get – one million dollars a year? Sandy said it is roughly 2 million dollars a year. Kaitlyn asked Sandy without this expansion, would that go away? She is not understanding the other side. She sees very clearly the environmental side, and she tries to see the other side - what is the good this is bringing. Kaitlyn said the landfill is not going to go away if we don't rezone this, so that 2 million dollars is going to keep.....Sandy added that it is going to reach a point where it will not.....Kaitlyn added that someday it will be full? Sandy said yes, and she thinks that is coming fairly fast. Kaitlyn said that is the thought of the good of this is that it is.....Sandy said yes, that the other side of it. This is part of the discussion, no it is not environmental. Allan said that did you know we went through this whole thing a few years ago. The landfill wanted to expand in a different direction, and tried to get the Township to change the zoning, and at that time, they wouldn't change it. Now they have a different Council, and this Council is more likely to go along with this and that is why these rule changes are being made. Sandy said not from an environmental issue, she does

not want to mix the two, but there is a strong possibility the taxes would go up, and she doesn't know how much and isn't going to try to guess something like that. Allan added that if taxes go up, everyone would equally have to pay. Sandy said exactly. Allan said in this situation, the people that live around the garbage dump are the ones that have to pay with their reduced environmental culture. Dru added that he backs the issue that the residents of this Township value open space and said that with the referendum. He also wanted to know if the Landfill Committee still received data, because at one point he had heard the percentage of waste was something around 70% from out of state. Do we know the number? Jennifer added it is high. He said he remembered times when 60-70% is what he read in the paper. Sandy said she is not sure what it is at this time. Dru said it is not 20% or 30%, it is the majority. Dru said it clearly is, the other side of it, a financial transaction. Kaitlyn added that money spent and goes away and is forgotten about and then forever that environment is ruined. Dru said eventually this Township will have to come to grips with that moment. This space will be filled, and in fact, he is only predicting and has no data to support this, but one wonders with expansion and more opportunity to store waste, what does that translate into in terms of tonnages. If your business is to sell space, and that is what it is, to put trash and you have more space to put trash, and if you look at a business model, usually you think growth, growth and expansion, so this could facilitate more tonnages, more truck traffic. Not just extending the life of the landfill, but perhaps increasing daily volumes. He does not believe NY or NJ has any licensed new landfills. They are all coming to capacity. PA has a well-earned reputation for being the garbage dump of the northeastern states. Sandy said what she believes they are doing with a lot of it is, they are shipping it down to West Virginia and dumping it in the old mines. She said she was able to smell it on the trains by where her one relative lives. Dru said he believes that the stuff we put in the blue bins, varies from trash hauler to hauler, but much of it does not get recycled – it ends up these landfills. As a society, we should be making decision on the basis of our values – common sense land stewardship, and this is not that – it is very different. Sandy said she agrees on the recycling. She had a friend who was involved in recycling, and with regard to water bottles, these have the top and bottom cut off and thrown in the garbage and the middle part is only recycled. And this is magnified going forward. Someone asked an inaudible question, and Sandy's reply was she was not sure how shortly, but she was sure it was not infinite – they would not be interested in expanding if they had 30 more years. Cindy added she is wholeheartedly in support of Dru's motion, but she can shed some light on what is happening in the area. All three landfills are coming to max capacity, it is just a matter of time. Plainfield is not expanding, Waste Management is going to appeal, Chrin is maxing out as is BLC. Trash moves west. Fifteen years ago, it was \$600.00 per ton to collect and get rid of trash in Long Island. We are currently at \$55.00 per ton in the Lehigh Valley. Once these landfills start closing, we can expect huge increases in solid waste management. All three of these landfills are going to be fighting hard to get whatever additional permitting they possibly can. Sandy said she is not sure how much it costs to ship to West Virginia, but that is where it is going. Dru added again, that this is a business, and management is not what is occurring from the stand point of stewardship. He said one way to expand the landfill's life expectancy is to eliminate 70% of the waste stream from beyond PA. He said land is a commodity here, selling our Township's real estate in order for a company to continue to profit – it is nothing more than that.

Jason Banonis, President of Township Council, thanked them for having him and said he was very interested in what they have to say because they have some very important decisions that will be coming up in the next couple of months. It is good to hear a live perspective from the Township residents and he shares a lot of the concerns they have because he lives here as well and has for a long time, and his family has been here for generations. He appreciates the community that we have and the resources that we have. Some of the questions that have been posed, he thinks he can provide some answers to, but he is not advocating one way or another for this – he is offering some information to them to help them make informed decisions. To answer the earlier question as to what is the current lifespan of the landfill - the information that they have received is roughly 3-5 years, so in 3-5 years, there is the potential that the landfill could close, and the landfill is currently subject to the Northern Realignment that would give it some added life which would be about that 5-year period. When that occurs, roughly 35-40 of the Township revenues goes away. The question then becomes what do we do to replace that 2 million dollars of revenue. Right now, an inordinate amount of that burden would fall on the burdens

of the homeowners. We don't have a diverse commercial base here like other Townships like Upper Saucon, Bethlehem Township, and Hellertown. They are working on this by trying to diversify the tax base to try to alleviate some of that burden because right now LST municipal taxes are kind of in the middle of the pack for the Lehigh Valley, but I can assure you that if the 2 million dollars goes away, we would be in the front of the pack, and that is not where we want to be. It is not good for our community, home values, school district. People can get the same quality of education and same quality of life in other municipalities by paying less taxes. This is something that is on his mind speaking as an individual who is on Council. The other issue that you bring up is, and he thinks it is a valid one, we all generate waste. It is the reality – we are all human beings and the way our society is set up is to generate waste. We consume foods, goods, we dispose of things and we need to be responsible about this. We need to be responsible as to how we choose our consumption and what we do with what is leftover with it. He is a big proponent of recycling and trying to minimize the waste stream that we have that goes into the landfill for a number of reasons. The other thing that he thinks from an environmental standpoint that he thinks they should consider, which is important to him, is that this landfill has, and currently does and will for decades, give off decomposing gases, methane. There is a flare that runs on the landfill and this flare gathers up those gases so they don't explode underground or harm the environment in some other way and burns off. There is an effect to that, which is probably not good for the environment that we are burning off so much gas. What does the landfill do about that? One of the things that exists, and you may not know of this, is those decomposing gases are actually captured. There is a term that he does not recall, but it is essentially those gases are split. Fifty percent of those gases can be put into the local gas system, gas lines that provide natural gas service to your homes. He forgets what the exact number is but he believes there is enough gas that comes off of that landfill to provide energy to 25,000 homes in the Lehigh Valley. This is something significant to consider because this is an environmental aspect this. This is actually a form of renewable energy that powers homes and provided heating in the winter, and we all know what gas fuel, oil, and natural gas prices are now in light of certain international economic things that are taking place. He thinks it is important to be independent and at least have this as a source of renewable energy. When he states renewable, the information he has received is that what is put in the landfill now, will continue to decompose for 30 years. The day that the landfill closes, those gases will continue to come off for at least 30 years, and continue to provide a renewable source of energy to power homes, to provide heat, and allow you to cook and do other things.

Someone asked if this is like this currently, and if we know how much of this is going back to LST residents. She said she heard part of it was going to Bethlehem, and her worry is if we hold that, the good that this is, if that is good toward someone else then why are we giving up our open space for this?

Jason said his understanding is that the gas is not channeled to any individual community, city, or municipality. That gas is put into the regional gas system, so it is not that there is a line that goes from the landfill to Bethlehem.

Kaitlyn said she is not even sure how much of Lower Saucon even has the ability for natural gas. The rural parts of our Township.

Jason said it's true. There are many homes in the Township that do have natural gas service and there are others that don't. He does not know what the plans are for UGI to expand gas servicing in the Township. Right now, when we travel down Wyandotte, up and over 378, it is a bumpy ride. It was mentioned about having a bumpy ride on Applebutter Rd., and that is because UGI is replacing the gas lines in that part of the Township and into the City of Bethlehem and up and over the hill. There is gas in that area, and gas in the area of Township Hall. Over in some of the more rural parts of the Township, it may not be as readily available but still it does provide gas service to municipalities. In addition to that, there is currently construction taking place to create an electricity generating facility, he believes it is located within the City of Bethlehem, on Applebutter Road across the street from the landfill, where the gas will be taken off and actually processed there and turned into electricity. This, as well,

will power thousands of homes in the Lehigh Valley. He is offering this, not advocating for anything, but offering as there is an environmental component to both production of as gas and electricity that heats and powers homes.

Allan asked if Jason knew where the compressor is that compresses the landfill gas so it can be injected into UGI pipeline. Jason said is not certain, but it may be on landfill property.

Dru added that he wanted to make a point, not to refute what Jason is saying, he understands the process of natural gas generation at the landfill and the collection system. Methane is a very powerful greenhouse gas, much more powerful than CO₂ in terms of molecule for molecule and the impact on the radiation balance. He would love to see the landfill, as part of the plan for expansion, to have someone fly a spectrophotometer over the landfill to evaluate fugitive gases. They collect a lot of gases, but landfills have permeable piles of material that usually emit significant methane. Natural methane is relatively odorless. There are often byproducts you can pick up, but the landfill produces a tremendous amount of methane. An important question would be what is the efficiency of the collection system versus how much is seeping out of the landfill 24/7. He mentioned he has it on his computer, and there are satellites that fingerprint Super Emitters. The purple shown on the map is methane being emitted into the atmosphere. He explained NASA has information on their website, showing some of the releases are which are typically around oil and natural gas wells, even though they are flaring. If you look at a map of the US at night, you can look at the different cities. He referred to the Bakken Fields, the geologists refer to it as this, because of the lights shown this is a rural area petroleum production area. All the lights are methane flares burning methane off because they don't have a pipeline system to distribute it. They are developing the crude oil and the methane is a waste, and they just burn it. His point is, there are fugitive methane gases that are produced in a landfill. It is a natural decomposition of organic matter, and the only question he would like to think about is how much of that natural gas is released to the atmosphere and not collected. He imagines it is measurable and could be substantial. He said it is kind of a catch 22, the more environmental anthropogenic climate change that we experience, the more air conditioners we use, which increased the demand for energy. He imagines that most of us didn't have air conditioners growing up and if we lived in that same house now, we would want air conditioning. He said it is a climate change issue. He said it is a landfill and he is not trying to suggest that the BLC is emitting so much methane that it is significant at the global scale, but he said if they data to identify methane, he would be shocked if it was methane neutral in terms of fugitive gases.

Jason added that the graphic he shared is interesting and he thinks there is potential for that and the reason is it may land some guidance to gather more of the gases from the property that would provide more renewable energy as opposed to allowing it to escape. He said she knows there is a vacuum system underground for capturing gases but he is not sure of the efficacy. Dru said he isn't sure either, it could be 95% for all we know, and he said they may not even know. He compared the process to when people use the infrared cameras to scan a house to measure heat loss and sell the homeowner insulation.

Allan asked about the company that was going to construct a building to gather up the gas and make electricity and as far she knew, it didn't go anywhere. Jason replied that it was his understanding that this company went out of business. Allan asked for confirmation that there was no electricity being produced. Jason replied that he mentioned earlier that it is being constructed. Allan asked where the location was. Jason believed it was across the street from the City of Bethlehem property, where Bethlehem Renewable Energy (BRE) was. Allan said he hasn't seen any groundwork. Dru asked if it was off of Ringhoffer, and Jason said no. Allan confirmed that was the gas storage facility. Allan shared with Jason that several years ago before he was on Council, there was a company that brought in a gas turbine electric generator. Jason confirmed this was BRE. Allan said they tried to run it, but they couldn't because the gas was too dirty. The sewage treatment plant didn't want to take the liquids that they had to clean out of the gas, and as much as it was cleaned up, it clogged the gas turbine generator so they didn't want to do it. The idea of creating electricity from landfill gas is an idea, but

it hasn't occurred around here yet as far as he knows. Jason said as far as he understands it, it is being constructed now and the technology is different. Allan said he would like to see something in the newspaper.

Ann asked if this could be the lesser evil of what may come down the pike if the landfill fills, and then the Township then has to look for this 2-million-dollar income to replace it. What may come out of that, may be worse this. Laura said if it remains as RA, it is not going to be environmental.

Dru said his take on this is that Council's role is they have to worry about budget and all of the big picture and judge wisely. The role of EAC, he believes, is to look at the environmental implications. He said he plans to make two motions tonight to be considered. One is that they don't approve this in the form of practicality, if there is some sense the Township is concerned this is going to fill in 3-5 years, and how do we raise 2 million dollars annually without raising taxes. It is inevitable that the extra space is going to fill. Taking waste streams from other states, it is going to fill that much faster. He said his second motion will be for the Township to consider not approving the zoning change for all of the real estate because then all of it will become a trash pile, and eventually it is going to shut down, and eventually this Township is going to have to look elsewhere for revenue. He suggests they consider maybe something such as parcel 6, and look at it from the standpoint that this has a finite life. This Township is going to have to come to grips with the lack of tax revenue eventually. If landfill expansion is inevitable because in 3 to 5 years it will reach capacity, why give them all of this real estate instead of giving them a piece and then the Township endeavor to start thinking ahead proactively to develop ways of generating more revenue rather than selling the Township off in essence. He said someone must have the current acreage of the current landfill, but if he had to guess it would be 40% to 50% of the current footprint of the landfill, and then that is going to fill. Then he wonders if they will try to buy the Petrie property and all of the other open space to the northeast. It has to end at some point. Someone has to have the courage and wisdom to look forward, and maybe they change one parcel zoning to bide time, but eventually this landfill will run out of space. He said he can appreciate the fact that he makes trash and it has to go somewhere, but he doesn't see why LST has to take a large percentage of NY or NJ trash stream and anywhere else it is coming from. His second motion would be to not expand to all of these parcels with land use zoning changes, but to look at it more incrementally.

Jason offered a response. First, and foremost, the current landfill is regulated, monitored, and inspected by Department of Environmental Protection (DEP). DEP is the one who provided the license to allow the landfill to operate. That license has been in effect and modified a number of times. DEP has never placed any restrictions on that license that would prohibit incoming trash from certain geographic locations. That is at a state level, and we are beholden to that. At a more local level, the Host Municipal Agreement (HMA) that we have with the landfill was negotiated long before he was on Council many years ago and this does not provide any restrictions on waste source streams and where they can come from. As a Township, we are constrained by that agreement, we can't go back and change it unilaterally and the landfill is permitted to operate in its DEP license and within the terms of the HMA that we have. He recognizes what he is saying, and he thinks makes it sense from trying to restrict the stream to provide longer longevity to it. It has two sides. The stream of revenue that we get is based upon tonnage, so if we restrict that from elsewhere, the Township's revenue would be decreased proportionately. He wanted to share that, and in a perfect world he would like to have something like that happen perhaps, but he can't do that because we have no control over what DEP does, and they don't have control over our HMA. Dru wondered if it is legal or not to try to restrict where the trash stream is coming from. Jason added it may be a violation of interstate commerce, so it's a constitutional and we could be subject to litigation. Dru said he understands the impracticality of that, but the reality is we are the recipient of the trash stream. Dru said after Jason pointed this out, he realizes it may be illegal to do this.

Kaitlyln added that we can just let it lay as it is without recommending expanding and continuing more and more of this out of state trash without changing the agreement at all, but the agreement is for here

and instead of opening it up to there. Jennifer added it is important that the zoning doesn't change, because once you open it up, these other areas – it will continue its growth.

David Spirk, a resident of LST since 1986, he went into the landfill as a child taking their trash there. It was at one time a tank farm of some sort, and it has always been very industrial. He said he doesn't believe the vast majority of LST residents, although he is very proud we have a group like EAC who are environmentally conscious, he doesn't think a vast majority of taxpayers would say raise my taxes 30%, because 2 million is close to 30%. Dave said we have about a 6-million-dollar budget, and this is about 2 million. He thinks it is not correct to say that citizens would not want this done, and this is speaking as a citizen.

Laura said we have not really given the citizen's much time to have any input on any of this because it is being railroaded through.

Dave said he doesn't know about this, but he said the tax population generally doesn't want to pay considerably more taxes, and he thinks this is human nature. He said when we talk about giving up open space, it is not our land. What would be good is if we can buy it. He said he voted for open space, and he thinks this gentleman is absolutely right, the citizens voted for open space. As much open space as we can buy, he thinks we should. In a perfect world, if he and his family lived in the middle of a wooded area and we call that Lower Saucon and we were by ourselves, maybe that would be perfect. But we all live in LST, and we have to get along, and maybe we wish we had more woods and our neighbors were a little further away, but nonetheless, is the reality of living in a community and paying taxes. He said we are not giving up open space, we could buy it, and then obtain it and keep it as open space and then it can become something else. In fact, we all agree – no question about it – every citizen would say let's not have a landfill but let's have a different industry because we need those ratables to come in and help pay taxes. That is what almost every other municipality has – other businesses. LST doesn't have any other business, so we are sort of stuck with putting another business there or we are going to have to live with the landfill. He said the landfill has been there for over 80 years, and everyone that lives around there chose to live around it. He said he went to the Lehigh Valley Planning Commission (LVPC) when this came up 10-12 years ago, and he made the argument that it may be not only the perfect place to put a landfill in, and he agrees geologically it may not be a good place for the landfill, he doesn't know because he is not a geologist – it probably isn't, but he said you don't put landfills on flat areas, you put them on a slope or valley areas because you have to fill in. You can't have a landfill on a flat area because you would have a mound. He said you fill in the mountains. This is why the one in Plainfield is in a valley and Chrin is on the side of a mountain, and this one is on the side of a mountain. You actually make the mountain bigger. His argument with the LVPC 12 years ago was, if you look at a map and you see what was then, and this is long before the Lehigh Valley Industrial Park moved in and the electrical generation plant across the street, that was Bethlehem Steel Land and it was very industrial looking. There was a goat farm there when he was a kid on Applebutter Road. When you look at where do we put industry, it is the perfect spot because there is industry all around it. What is contiguous from a satellite view, is Steel City on the other side of the mountain. He disagrees that the citizens would say give me higher taxes, he thinks they would say give me a solution to keep our taxes the same.

Sandy added that she heard Dru say something interesting earlier about keeping parcel 6 as being the most rational of the pieces to go if we would approve something. She is looking at this as a balance, and she doesn't know how long this would give them as an expansion but she agrees with all us that we need to look for other sources. She knows how hard it has been, but she is thinking maybe this is a small compromise. Keep the other ones out, don't rezone the ones at the top of the hill, and just do parcel 6. This is just a suggestion to balance it a little bit. She isn't sure herself but he mentioned and she wants to see what he thinks.

Dru said he fully understands all of the practical issues – he doesn't want his taxes going up 35% either, but if something doesn't change in term of long-term management – belt tightening, other revenue

streams, it is still going to close. Sandy said she agrees. Dru said it is inevitable that, unless we decide to make 20% of the Township a landfill and continue to let it encroach and grow, which isn't going to happen but isn't that farfetched because when one looks south of Applebutter Road, on the hill slopes, there is low population density, the landfill is already willing to buy properties. Dru said he never made the assertion that the Township residents want to pay higher taxes, only that they are willing to pay open space. Sandy said she understands.

Dru said that is what he meant when he said he would make two motions. His first one would be for environmental reasons, EAC should recommend that Council not rezone this real estate, and his second would be in the eventuality they see it as a financial imperative to accept some landfill growth to continue to maintain the revenue stream into the near future, then he would suggest to limiting this land use change to parcel 6. As a practical compromise that in 3-5 years, they are going to be at capacity, and that revenue stream is no longer going to be available and the Township is going to face an immediate crisis. This would alleviate that as a compromise without selling the entire farm so to speak. He thinks they are probably at a moment where strategically they fight these expansion battles fairly regularly and they might see this as an opportunity to get enough real estate rezoned to be able to stay in business for a much longer time period without having this annual battle. It is open space at the moment, it is forest. Sandy agreed it is. Dru said at the moment we would be saying potentially 275 acres, why would we accede 275 acres when that is not necessary at the moment. He would implore Council to think very hard in the longer term. We get into these jams because we always think short term, and then we end up in short-term crisis and don't always make the right decision. He is not accusing Council of mismanaging or anything go that sort – not at all, but there is a finite life to this landfill even with this expansion so someone is going to have to face this. We are just kicking the can down the road, and we have to do this a little bit to allow time to belt tighten and look at other sources of revenue. He said the reality of this country is we never look at conservation, we look at how do we get more energy. We rarely look at how to reduce energy.

Kaitlyn said she had a question on his second motion. She thinks both are a good idea. She is concerned that opening the door.....she thinks it is the smart thing to do is to say open the door to one parcel, baby steps, give an off ramp but she wants to be careful how the second motion is worded so it doesn't sound like we are environmentally giving a stamp of approval on parcel 6. From an environmental standpoint, none of this should be rezoned. Sandy said this should be included in the motion, however Dru wants to word it. Dru said Kaitlyn has convinced him not to make a second motion.

MOTION BY: Dru moves to hold the environmental line, and if the committee agrees, this is their advice to Council. Recognizing that the President of Council, a second member of Council is here, their minutes are available to Council, they know what has been discussed and leave it to Council. It is their job to make the big decision and evaluate all of the ins and outs. Two Council members, including the President, know the EAC is against this expansion, but also recognize maybe the practical implications and hopefully would not go all the way to the wall and rezone the 275 acres.

Jennifer added that she thinks they have to keep into consideration, and she totally agrees with his first motion, but if they are going to change the zoning, they have a bigger investment that they have to be talking about, not only environmentally. There is a tiny little parcel of 7. This is a big change that is going to open a big can of worms in her opinion, so it's not only that, it is recommending that none of this zoning go into effect. She would also encourage Lower Saucon to start looking at other businesses. There are plenty of resources out there with other municipalities where they are looking at different businesses that can come into an area. We have land that could accommodate not-so environmentally friendly businesses. Laura added that is the whole 378 corridors. Jennifer said she encourages this. Sandy added that we have one but it is not anything that is going to put in 20.....she said there have been restaurants. There have been multiple restaurants, super markets that have gone out of business here. Laura said it isn't going to be one business. Jennifer said there are a lot of other business that we probably haven't even been tapped in that would grow our base. Sandy said if she has any ideas, she suggests for her to send them into Council. Dru said when the current cells are filled, you will have

nice south facing mountain that would be a beautiful solar farm. Laura said they discussed this along time ago. The land isn't even stable enough to put things like this on. It is really dead land.

Allan added that building a garbage dump on the side of a mountain has to be the dumbest thing. Sandy said but they all do it. Allan said gravity is trying to pull the garbage down the mountain. As the garbage becomes more and more different from the time it was placed in there, it could easily change into a jelly-like consistency and slide down the mountain. Who will have to fix it? The Township. Dru said that experiment has been run at the Chrin landfill and they were closed for about a year because they had a slope failure and they are still redistributing materials.

Jason said he wanted to respond to an earlier comment about desire to bring on business. He said he absolutely has that desire, unfortunately, they have great competition from other municipalities for business. If you have drive on 378 and seen the economic development and construction taking place in Upper Saucon Township. They are hoping that this continues up the 378 corridors. Part of the problem with LST when looking at the zoning map, they are very limited in the areas that can have commercial enterprises. One of those is the 378 corridor which is limited in its length and width and the other is around the landfill. He said there are really no other areas. He said in the area where Giant Shopping Center is located, that area in fact is not zoned commercial even though there are commercial businesses there. There are some inconsistencies in the zoning ordinances as to what is actually the reality of how the property is being used, and they are looking at that to make things more accurate. There is a desire to expand the commercial and other business tax revenue, but we are constrained by boundaries and what the zoning map allows.

MOTION BY: Dru moves to recommend that Council not approve this rezoning to accommodate landfill expansion because of the environmental sensitivity to this real estate and as ground water recharge area, and also in the spirit of maintaining significant open space in the Township consistent with the Township residents vote to continue the Open Space Program.

SECOND BY: Laura

ROLL CALL: 5-1-1 (Ann – no, Michael - absent)

Laura said she would also like to make a motion regarding the Natural Resources Mitigation Alternative because there is no limit at all. She read “exceed the net buildable site area permitted by section 180.95, utilizing a greater area of natural resource protection that would otherwise be permitted by the resource protection standards”. She said there are no limitations so they can use 100%. They don't have to provide like land in exchange, they can do in lieu of so they can buy their way out of it. She said they should be able to write it, the environmental attorney. This is what the landfill wrote. Allan said there are a lot of things he doesn't understand in it either. He said one of the sentences says they don't have to supply alternative green space; they can supply anything they want as long as Council agrees with it. It doesn't have to an equivalent. Sandy asked Laura to clarify her motion. Laura said she proposes that they don't add this to into the zoning – we are throwing away all of our protection. Kaitlyn said specifically subsection G, Natural Resource, omit that subsection. Dru said so you want to keep it as it exists? Laura said it doesn't exist, and this is why she wanted to have a copy of the zoning ordinances. It is much easier to see exactly what is being talked about. She doesn't know why we can't have a copy of it. Sandy said so you would like to omit subsection G, Laura said yes.

MOTION BY: Laura moved to eliminate the Natural Resource Mitigation Alternative from the proposed zoning changes.

SECOND BY: Dru

ROLL CALL: 5-1-1 (Ann – no, Michael absent)

IV. DEVELOPER ITEMS – None

Laura asked why we don't have the Sheetz approval that just went through planning? Sandy as not sure. Laura said why don't we have the Sheetz proposal to review at EAC? They are putting in a Sheetz gas station in on

378. We have a lot line change brought to us which have no real environmental input we can provide. Then there is a major thing that we may want to put some thought to and it doesn't come to our board to look at. Discussion was had on agenda preparation, who can they contact to be sure items are placed on the agenda. Sandy said they can check with the manager. Dru added that it is important point that they may not know everything going on in the Township, and see things for the first time when they drive around. He mentioned the natural gas pipeline that runs along 78 to where the gas storage facility is, they have been doing something there and they haven't seen any of it. Sandy said she isn't sure Planning saw that. Dru wants to understand why some things come to them for review, and some don't and they seem to fit in same category of land development.

V. UPDATES/REPORTS

A. NOVEMBER 12TH ELECTRONIC RECYCLING EVENT

Sandy said she heard it was a great success and asked for feedback. Laura added it was very busy and they had to shut down early because the trucks were full. Allan was glad it was a success and who helped. Laura added she was the only one from EAC, the manager, Stacy, and one volunteer. Sandy said people were turned away and some residents are looking for a second event. Laura said she knew May was full and there was one day in April that may be available. Sandy asked if anyone knew when Easter was because we do not want to do it on that weekend. Laura asked Cindy if she received a report with numbers or stats as she saw Cindy's name on the clipboard. Cindy said she didn't, but she received the invoice and forwarded to the Township today. Laura was curious of totals and pounds. Sandy asked Cindy if we can try to look at April 15th, but it tends to be very busy because of Earth Day. Laura said it has really become Earth month. Sandy asked Cindy to see what weekends are available and take any date in April. Cindy said she would email totals. Laura said some of the things she would want to see improved: more people accepting payments, clarification on paint, and utilize the space better in trucks and she told them about using pallets and boxes for smaller stuff. They were not utilizing fork lifts and it wasn't stacked as high as it could have been. This was the first time we used this company. Cindy added there are other companies and she can check with other municipalities to see how it went for comparison. Cindy asked who will be the one to apply for the reimbursement funds. Sandy will check and get back to her.

B. *OCTOBER 24TH EAC FALL GATHERING HOSTED BY WECONSERVEPA

Sandy asked for feedback as some of the EAC attended. Jennifer said it was very informative and covered various topics. It would be nice to have more focus areas in our group and be more involved after seeing what some of the other EACs have done to make a footprint in their Townships. She gave examples of recycling processes, recycling food byproducts, moving to no plastic bags, etc. She walked away from there wanting to do more work than they already are here in our Township to have a strong presence.

Laura also added that they had their road cleanup and it was hard getting a date for four people to attend. Kaitlyn added that they need to plan ahead better and pick a date in June so everyone can have on their calendars. Everyone agreed on this. Dru added that he would like to thank everyone who does this regularly.

VI. OLD/MISCELLANEOUS BUSINESS

A. REVIEW AND APPROVAL OF SEPTEMBER 13, 2022 MINUTES

Dru noted correction on page 3, line 8.

MOTION BY: Sandy with corrections.

SECOND BY: Ann

ROLL CALL: 6-1 (Michael - absent)

VII. PUBLIC COMMENT ON NON-AGENDA ITEMS

Barry Kessler spoke at meeting after having some discussion with Dru regarding his proposal to provide geology signage at Polk Valley Park (PVP). He prepared a summary/proposal and noted the purpose of the initiative would be to educate the public about the geology of the Lehigh Valley Community and how it has played a role in the history and present lives. To implement, he suggests that weather-resistant pictorial signage in PVP, particularly in the boulder fields and loop trail. He said the signage would be engaging, non-

technical narrative, a flyer to take at the entrance by the trails, and the emphasis would be the trail that enters from the upper parking lot. The signage and flyer could give a geological overview of PVP and explain what a visitor would see on the trail, credit to people who have been involved in the project such as Lehigh and Lafayette geology students, email addresses if people would want more information. Each boulder alone should present a description about the origin and geologic history of the boulder and some narrative the type of rock and mineral content. This could be promoted in local press and local grade schools and possibly have a geology student volunteers from the colleges lead field trips on selected weekends. A program like this brings attention to resources in this Township and how much we value the environment and the world we live in. He thinks a lot of people visit PVP and enjoy the environment but don't have knowledge of what they are looking at. He thinks this will have a minimal cost, and have the Township stand out about what we offer here. He spoke about the process to make this happen and who would be involved, and he would want to be involved to make this happen. Sandy said she can bring this up at the Council meeting. She thinks the idea is a good one and we can coordinate with Parks and Rec because they may have people that can help. Dru said Barry had emailed him a while back and they met up at PVP and starting talking about this, and he believes this would be an endeavor he can work on his colleague with at Lehigh, Frank P., who shares an interest in this as well and also the students. He said it is a great place and the topography tells a great story in terms of mountain building history, the rocks, the glacial story, climate change, there is a lot. Dru said we have the people; we have to figure out the funding for the signage. Sandy said they can even expand it into the PA Highlands, NJ Highlands, and across the river. She lives at the bottom of granite hill. Dru shared the history of the boulders on the ridges and the legacy of past climate. There are great stories here, and Barry brought his to him and he knows Frank will help as well. He also added that the Lehigh students power washed the limestone along the Rail Trail. Sandy said there is signage there at the trail so we have resource to get signage.

MOTION BY: Dru moved Sandy to present this to Council and explore possibilities, and carry the message to Council we have the geologists available to put the story together, but we need high quality signage that effectively conveys the story.

SECOND BY: Sandy

ROLL CALL: 6-1 (Michael - absent)

Laura added about the EAC being shorthanded, and she suggested to put this in the newsletter. There are a few people that do not attend regularly, and it would be nice to advertise for an open position. Sandy said she will also mention at Council. Jennifer asked if there are term limits, and Sandy confirmed there are terms but no limits. They get renewed and are no max or policy regarding attendance. Kaitlyn added if they know of people who are interested, they should send letters of interest. Sandy also suggested if you know someone, have them come attend a meeting to see what they are all about. Laura said when they attend the conference with other EACs and see what they are doing, it is awesome but people are needed.

VIII. ADJOURNMENT

MOTION BY: Dru moved for adjournment. The time was 8:27 p.m.

SECOND BY: Ann

ROLL CALL: 6-1 (Michael - absent)

Sandra B. Yerger, Chair