

I. OPENING

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

II. PRESENTATIONS/HEARINGS

- A. Resolution #72-2019 – Recognizing Charles John Pavis for Completion of His Eagle Scout Project and Receiving his Eagle Scout Rank
- B. Presentation and Swearing-In of Newly Appointed Corporals Thomas Louder, Chuck Werkheiser, and Kyle Haggerty

III. DEVELOPER ITEMS

IV. TOWNSHIP BUSINESS ITEMS

- A. Quarterly Technical Consultants Committee Landfill Report
- B. Host Municipality Inspector's Recommended Letter to Bethlehem Landfill Corporation (2335 Applebutter Road) Regarding Surface Emissions
- C. Aria Energy East LLC – Technical Consultant Committee's Comment Letter to PA DEP Regarding RNG Plant
- D. Review of Lower Saucon Authority Pump Station Project and Request for Letter of Support for Grant Submission
- E. Meadows Road Bridge – Historic Nomination – Review of Proposals
- F. Seidersville Hall Window Replacement – Review of Design and Window Selections

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of November 20, 2019 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

EAC Meeting: December 10, 2019
Saucon Valley Partnership: December 11, 2019 @ LST
Zoning Hearing Board Meeting: December 16, 2019
Council Meeting: December 18, 2019
Planning Commission Meeting: TBA
Saucon Rail Trail Oversight Commission Meeting: TBA
Park & Rec Meeting: TBA

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on December 4, 2019 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with President Priscilla deLeon, presiding.

ROLL CALL: **Present:** Priscilla deLeon, President; George Gress, Vice President, Sandra Yerger & Donna Louder, Council Members; Leslie Huhn, Township Manager; Thomas Barndt, Chief of Police; Brenda Detweiler, Administrative Assistant; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Judy Stern Goldstein, Township Planner; and Avia Weber, Jr. Council Member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. deLeon said Council did not meet in Executive Session prior to tonight's meeting.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. deLeon said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones and state your name for the record. If you have a non-agenda item, she asks that you give your fellow public the courtesy of the floor. There's a sign-up sheet in the back of the room. You can follow tonight's agenda on the website on each of the agenda items. If you aren't signed up for agendas or newsletters, please go to our website and sign up.

II. PRESENTATIONS/HEARINGS

A. RESOLUTION #72-2019 – RECOGNIZING CHARLES JOHN PAVIS FOR COMPLETION OF HIS EAGLE SCOUT PROJECT AND RECEIVING HIS EAGLE SCOUT RANK

Mrs. deLeon said Resolution #72-2019 has been prepared recognizing Charles John Pavis for completion of his Eagle Scout project at the Heller Homestead Park; and for receiving his Eagle Scout Rank, which was awarded to him on October 15, 2019. She read the resolution for Charles. She said back in 1988, the Township was presented the farmstead and the two stone buildings and barn. The developer wanted to put in 64 condos. When a developer subdivides housing units, they are supposed to give the Township a parcel of ground or money. The developer scouted around and that's how we got Southeastern Park. Council congratulated Charles.

MOTION BY: Mrs. deLeon moved for approval of Resolution #72-2019.

SECOND BY: Mrs. Louder

Charles thanked Mr. Frank Thompson from Parks & Recreation who helped him out with the project and thanked all of Council for letting him do this project.

ROLL CALL: 4-0

B. PRESENTATION AND SWEARING-IN OF NEWLY APPOINTED CORPORALS THOMAS LOUDER, CHUCK WERKHEISER AND KYLE HAGGERTY

Mrs. deLeon said Thomas Louder, Chuck Werkheiser, and Kyle Haggerty are present this evening to be sworn-in and pinned as Corporals for the Lower Saucon Township Police Department. Chief Barndt said it is with great honor this evening to announce and introduce the Officers who are being promoted to Corporal. Tom Louder has been a full-time Officer since 2005 and one of the department Firearms Instructors. Chuck Werkheiser has been a full-time Officer with the department since 2009 and the department's Defensive Tactic Instructor. Kyle Haggerty has been full-time since 2010 and also the department DARE Instructor. District Magistrate Alan Mege swore in Officer Louder, Werkheiser and Haggerty. Chief Barndt invited the families up to pin the officers. Chief Barndt said he looks forward to working with each of them while moving the Department forward in their goal to providing the best police service for our Township. Mrs. Louder said she'd like to thank the Chief for the procedure that occurred to promote these gentlemen into the Corporal position. Chief Barndt said it's been a dream of his for a long time, and now we are ready to get to work. Council congratulated the Corporals.

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. QUARTERLY TECHNICAL CONSULTANTS COMMITTEE LANDFILL REPORT

Mrs. deLeon said Chris Taylor, Hanover Engineering Host Municipal Inspector, is here to present the 3rd quarter 2019 Technical Consultant Committee Landfill report to Council.

Mr. Taylor said the TCC met on November 19, 2019. All reports were received; however, the 3Q19 Gas Royalty report and check came in late as was the 2Q19 Facility report. Mr. Taylor reviewed his report.

Waste Acceptance and Management – waste disposal took place in Cell SE-1A during July and then switched to Cell SE-1B. Tonnage for the 3rd quarter was substantially higher than the previous quarter. The use of tarps continues. The Host Municipality Benefit Fee report and fee were received. The Committee found no concerns. Mrs. deLeon asked if they continue to use tarps as daily cover? Mr. Taylor said yes. Mrs. deLeon said can that be creating the additional odor complaints? Mr. Taylor said daily cover has the same standards no matter what material is used, earth or tarps. They've used tarps for years and years, the answer should be no, but you could have failings of the tarps.

Landfill Gas Management – the BRE plant was permanently retired on June 1st, and the company was sold and the plant has remained off line to date. The landfill flare was online and burning landfill gas solely. It was offline October 17th and 18th due to a malfunction. Bethlehem Landfill (BL) received 26 odor complaints during the 3Q19 and PADEP received 8 for a total of 34. Gas royalty payment was received. Aria Energy is still proposing to construct an RNG plant on the landfill property. On August 13th, SCS engineers notified the Township that an application for plan approval had been submitted to DEP. More recently, two more applications on October 10th which was a minor permit modification and October 30th, SCS Engineers submitted an application for Landfill Gas Beneficial Use General Permit on behalf of Aria Energy. A letter has been prepared by Laressa McNemar on those two applications for Council. The TCC recommends sending the letter to PADEP requesting to review those applications.

Mrs. deLeon said the 26 odor complaints are astronomical. Saturday she got a phone call from a resident and smelled strong landfill gas from 5 p.m. until 9 p.m. and called DEP twice. She said multiple complaints on the same day as a single odor incident is totally unacceptable. She's very disappointed. Whenever she calls DEP about an odor complaint, she personally texts Astor and David to tell them the residents smelled landfill odors/gas and they would send someone out. If that's how they are going to play that game, she's not playing it anymore because DEP doesn't work that way. If three people call the landfill, they are not the regulatory agency and they consider that only one complaint, which is unacceptable. We need to go back to the way it was. DEP considers every phone call as a complaint. She would like the website changed to take off calling the landfill if they aren't going to record all the valid complaints, people need to call DEP. They are the regulatory body and the only ones who can give a violation. Mr. Gress asked if DEP has been coming out when they call. Mrs. deLeon said not every time but they've been out at her house twice in the last month.

Mrs. Louder said they've been at her house. This is why she votes no on any kind of extra activity up there as they can't get this straight. You give them a hand, they take an arm. This company is not trustworthy. They are out for the mighty dollar. Too many, in this township's property values went to hell because of this landfill. People are getting their properties reassessed. The DEP is doing what they have to do, she's not defending them, and they need to be on it more. Mr. Taylor has done an excellent job on top of these people and reporting back to Council, but it seems everything is just brushed off. Mrs. deLeon asked Attorney Treadwell to explain when a site plan comes in front of Council as far as approving or disapproving it. Mrs. Louder said you don't have to explain it, she's fully aware that she won't sell her soul to the devil. Mrs. deLeon said she took an oath and was going to follow all the regs, and she's going to be doing that again on January 6th.

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Attorney Treadwell said you need to make decisions based on what your ordinances say and whether the applicant has met those ordinances. Mrs. deLeon is just saying why she's voting for the landfill, but she has not voted for the landfill always. When they have an application and they meet all the regs, she votes yes. Mrs. deLeon asked if Council was okay to take off the information for the landfill from the website and that if anyone experiences an odor complaint they should call DEP. Mr. Taylor said if you do that, you'll be hearing zero complaints. Mrs. deLeon said at the next landfill meeting, they are going to hear a lot of comments from her.

Mr. Gress said if it's really bad and you have 30 people calling in and they only record one odor incident that's not right. Mr. Taylor said it could be multiple odor incidents. Mrs. deLeon said Saturday night when she texted Astor, he did say he caught a gas odor on Johnston Drive. Now she is going to text him and tell him until he changes the policy, she's not going to text him. She wanted him to know as she was trying to be helpful. Mr. Gress said they should still be called. Mrs. deLeon said priority is to call DEP first.

Mrs. Louder said why cause confusion. She thinks it says to call DEP first. Don't cause confusion; keep it the way it is. If Mr. Lawson even gave ten iotas, he'd be sitting in front of us right now, they don't care, they are all about the money. Mrs. deLeon said when you call, you get a recording that says you have reached the emergency number of DEP. Maybe you should put in parenthesis, even though they say it's an emergency, stay on the line. Mr. Gress stated what is on the website and Mrs. deLeon said she's okay with that. Mr. Taylor said DEP responds to complaints but doesn't know what their response rate is.

Mr. Taylor said PADEP quality program conducted one inspection during the 3Q with Waste Management. They conducted 23 SEM's and documented zero exceedances. The PADEP conducted an inspection on October 18th and documented two non-compliance conditions, which were both considered violations. The landfill was not operating their odor control misters in accordance with the Nuisance Minimization and Control plan and offsite garbage and gas odors were detected at the time of inspection. They have not received an NOV yet. He thinks DEP is waiting to see what the landfills response is and if they respond adequately to their findings then they don't issue an NOV. The last NOV was negotiated from \$25,000 to \$16,000.

Mr. Taylor said SCS screened the entire landfill for emissions and the information from that has been used to identify areas of the landfill surface needing repairs. SCS conducted the 3Q monitoring and found five exceedance locations, all have been remediated. In discussing the issue of surface emissions of methane, the TCC issue of final capping came up as that would prevent surface emissions. Previous ballooning of the temporary cap on the south face demonstrated how gas can escape from the landfill surface. The current SE alignment plans required final capping be completed in steps that are key to filling activities in other areas; however there is no documentation that this capping has been completed, so the TCC suggests the Township send a letter to BLC requesting that a final capping program be started in 2020. He prepared a draft letter which has been provided to Council for your consideration and the TCC recommends sending that letter to BLC with a copy to DEP. The TCC has a concern that the continuing occurrence of surface emissions of methane exceedances of what is permissible and of odor incidents. The facilities permit states the operator should prevent and eliminate conditions such as odors.

Leachate Management – detection zone flows in LMC-6, 7 and 8 have dropped substantially and were recorded as zero for many weeks in the 3Q. This is what we always wanted, but landfill personnel have no explanation why this is happening. Detection flows in PS-1, 2, 3 and 4 were under 100 gal/acre/day. Detection flows in LMC-6 and PS-4 had high concentrations of chemical constituents of leachate. The TCC's concern is that there's a continuing flow of leachate and/or stormwater within the detection zone of the landfill. They recommend keeping an eye on the situation using Mr. Sichler's tracking method.

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Groundwater Management – A sampling event took place from August 26th to the 28th and continues to take place quarterly. The two residential wells continue to be tested with results that all parameters meet drinking water standards. The Groundwater Abatement System continues to function. They have a decrease in some wells while water levels were steady or rising. He raised this issue with BLC and they have started to investigate that.

Mr. Taylor said there were 2,918 total trucks with 52 overweight, 48 warnings and 4 suspensions. Using 2,000 pounds as an arbitrary number, 8 trucks were more than 2,000 pounds over the weight limit, up from seven last quarter. Records indicate trucks leaving the two waste stations are under their weight limit when they weigh out. The TCC's concern is the amount of O/W trucks remains elevated. Mrs. deLeon said she doesn't know what else we can be doing. Mrs. Louder said the PSP has a program that they will do a sting at the landfill. Mrs. Huhn said Chief has communicated with them, and we can ask them again.

Stormwater Management – work to replace the main gabion down channel on the south face remained suspended during the 3Q pending available work crews. No washouts from the landfill were reported. Mr. Taylor said the application for a second flare was approved in August. Applications have been filed on behalf of Aria Energy. Phillip Garcia was hired in early August as Operations Supervisor.

Regulatory Oversight – DEP Waste Management program conducted inspections on August 21st, September 10th and October 18th. The PADEP Air Quality program conducted a joint inspection September 10th. Mr. Taylor said Inspection reports are listed and of particular note in August there were two violations.

Citizen Complaint Log – the landfill reports receiving four complaints in July, four in August and 18 in September, all odor complaints. Mrs. deLeon said when did they start to do the one-day thing. Mr. Taylor said these numbers reflect multiple complaints on the same date. They started the one day in November. DEP reported 3 in July, 2 in August and 3 in September.

Mrs. Louder said they are changing their name to Bethlehem Company instead of Bethlehem Landfill. Mr. Taylor said it's Bethlehem Landfill Company. Mrs. Louder asked if they buddied up with anyone. Mr. Taylor said not that he's aware of.

Mrs. deLeon said the 18 odor complaints were received at the landfill. Mr. Taylor said yes. Mr. Taylor said the flare was down the 17th and 18th of September. Mrs. deLeon said there weren't many odor complaints, then in these last two months, it's been awful.

Mr. Taylor explained the photos is the report as the working face, the truck tipper in use, machines that push garbage down, daily cover, filling of Cell SE-1, ballooning of the temporary cap on the south face caused by methane gas escaping from the landfill surface. Mrs. Louder asked how high is it, the highest point? Mr. Taylor said he didn't know but he'd check. He explained the picture of the ballooning was taken in January 2018 but the significance of it is because of landfill gas accumulating under it. Normally there's an under cap collection system that draws that gas out. When that under cap collection system goes offline, the cap has ballooned up as you see in the picture. That is meant to illustrate how much gas can escape from the surface of the landfill over a relatively small area. If that cap wasn't there, methane gas would be escaping into the atmosphere and you wouldn't know it. Mrs. Yerger asked when the picture was taken. Mr. Taylor said January 3, 2018. Mrs. deLeon said it was right before they got approval for their next expansion. She asked Chris to put the picture in the packet to see how the gas goes through the earth as people don't realize that. Mr. Taylor said the ballooning really hasn't happened since then, maybe only two times. Mrs. deLeon said the other areas don't have that cap. Mr. Taylor said correct.

B. HOST MUNICIPALITY INSPECTOR'S RECOMMENDED LETTER TO BETHLEHEM LANDFILL CORPORATION (2335 APPLEBUTTER ROAD) REGARDING SURFACE EMISSIONS

Mrs. deLeon said the Township's Host Municipality Inspector (HMI) is recommending that a letter be sent to Waste Connections regarding the Bethlehem Landfill Company's numerous incidents of surface emissions of methane.

Mr. Taylor said the recommendation of the TCC is that the letter be prepared and sent at their direction. Mr. Taylor said the attachments are copies from the SE realignment plans and reviewed what they contained. The first one was current conditions showing permanent cap as of 2014. The next one, is for new permanent cap, plus or minus 3-4 acres, which should have been installed when they were at this stage filling their overtop areas just to the north of it. He hasn't observed any permanent cap installation when he's been out there. Step 2 is SE1-A Development, the first cell created using the same legend. It's basically everything in the NW quadrant of the landfill. They should have put on a permanent cap when they were in SE-1A.

Mr. Taylor said Step 3, the permanent cap that was supposed to be installed at the last step, and now we have a new sliver of permanent cap right in the middle and they should have been at that point by the time they got to SE-1B, which is where they are now. There's no dates, but judging from their progress on filling other areas, if you add all that up, you get 29 odd acres of permanent capping that should have been installed according to the approved plans. Mrs. deLeon said is this the letter Council was going to approve and it inadvertently was distributed. Mr. Taylor said yes, and still they are not here to say anything about it. Mrs. deLeon said DEP didn't get this yet. She'd like the letter sent to DEP and to go out on Township letterhead. Mr. Gress said what do you think about the final capping, will it eliminate odors? Mr. Taylor said yes, if final capping is installed with 100% integrity, it will 100% eliminate the escape of gas and odors. Gas won't get through final capping, it's pretty much a slam dunk. Mrs. Louder said it's very important to her that this final cap get down.

MOTION BY: Mrs. deLeon moved to have the HEA draft letter prepared by Chris Taylor be sent to Waste Connections and the Chief of DEP for Waste Management regarding surface emissions and copy Jennifer and Amy and the people in Air.

SECOND BY: Mrs. Louder

ROLL CALL: 4-0

C. ARIA ENERGY EAST LLC – TECHNICAL CONSULTANTS COMMITTEE COMMENT LETTER TO PA DEP REGARDING RNG PLANT

Mrs. deLeon said the Township's Technical Consultant Committee has prepared a draft letter for Council's review regarding the Aria Renewable Natural Gas (RNG) plant located on the property owned by the Bethlehem Landfill Company. The Committee is recommending these comments be submitted to PA DEP.

Mr. Taylor said Laressa McNemar composed the letter and he reviewed it and had no comments. Mrs. Louder said she agrees with Ms. McNemar. Mrs. deLeon said it should go out on the Township letterhead and copy the Landfill Committee and Aria. They have to address the concerns. Mrs. Louder said this is a list of the hazardous air pollutant that's going to be out there if something fails in the plant, so she agrees. We need to watch them. Mrs. deLeon said for our monthly landfill meeting, will this be on the agenda. Mr. Taylor said we don't have a formal agenda, but we will give them the heads up. Mrs. Yerger said this needs to be sent to the Corporate person at DEP plus Aria Energy and the landfill.

MOTION BY: Mrs. Yerger moved to authorize the Technical Consultant Committee comments be submitted to PA DEP (both air and waste), Aria Energy and the Bethlehem Landfill.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0

Mr. Gress asked if we have scales for overweight trucks. Mrs. deLeon said yes. Mrs. Louder said we have three officers who are certified to use truck scales, the problem is that road is not all Lower Saucon. On November 27th, she was leaving for work and there were 7 tractor trailers lined up to make a right hand turn at 7:10 a.m. They were heading to Applebutter Road in front of the sewage treatment plant. At 7 a.m. you wouldn't be able to get near the landfill, that's how backed up it is. They stage on I-78 and Route 412. Mr. Taylor said he'll mention that tomorrow. Mrs. deLeon said in their permit, they are not allowed to stage on-site or get into the gates before 7 a.m.

D. REVIEW OF LOWER SAUCON AUTHORITY PUMP STATION PROJECT AND REQUEST FOR LETTER OF SUPPORT FOR GRANT SUBMISSION

Bill Ross, Lower Saucon Authority Administrator was present to discuss their proposed project and to request a letter of support for their grant submission. Mr. Ross said he doesn't need to review the history of the Creekview Pump Station, it's been something they've been working on for 20 years. They are in the midst of finally wrapping it up, looking to put a permanent pump station in that area. They are in negotiations for property where they'd be able to site the pump station. They haven't reached an agreement yet, so he can't say for certain that's where they are looking at. It is certainly an area that would work with all requirements. Regardless they have a grant that is available to them. It would require a 50% match by the LSA and they would provide 50% of the funds with an anticipated budget for the project of \$1.8 to \$2 million. They are fully supported by customer fees and don't get money anywhere else except the occasional grant. This would be a huge benefit if they could get this grant. The LSA passed a resolution and he'd appreciate if LST could support them with a letter as it would have a significant impact to the DCED.

Mrs. deLeon asked how much is the total grant for? Mr. Ross said they are requesting a grant in the amount of \$1 million, and they are putting up \$1 million. The total project is \$2 million. Mrs. deLeon said is this sewer to Leithsville. Mr. Ross said the way everything is written now, the pump station is specifically for Creekside Marketplace; however, the new pump station will have the capacity to serve additional areas such as Hellertown Park, the Weston Senior Living Center, but that cannot be done without an update to the Act 537 Plan. Mrs. deLeon said you have reserve capacity yet. Mr. Ross said yes. Mrs. deLeon asked if the City of Bethlehem updated their Act 537 plan. Mr. Ross said no, they have not, they are in the process of doing that. Mrs. deLeon said what is the effect on us. Mr. Ross said as far as capacity goes, there should be none to us. We have capacity reserved and if we need additional capacity, we could apply but right now we have plenty available and reserved for specific areas.

MOTION BY: Mr. Gress moved to approve a letter of support for the grant submission.

SECOND BY: Mrs. deLeon

Mark Wirth asked what the pump station is. Mr. Ross said it's at a location where they collect sewage discharge from Creekside Marketplace and that was why the original pump station was constructed. It's at Springtown Hill Road and Rt. 412. What we have there now is a temporary pump station. They are able to discharge some of the flow to an interceptor with the Hellertown system but for the most part, what they collect there is taken out and dumped into our system on Skibo Road. The pump station will pump the flow up Meadows Road and connect to that system and eventually work its way over to Skibo Road and then the pipes parallel along Saucon Creek make their way up to the treatment plant. What it will do now, it will connect Creekside Marketplace with our current system, as right now there's no connection. Mr. Wirth said just recently on Black River Road there was a water main break, are they ever going to replace that line from Rt. 378 down to the old entrance to Saucon Valley Terrace. When it ruptured it dumped a ton of sludge into the creek that has small trout breed in there. That line constantly breaks. Mr. Ross said absolutely. The two biggest areas along Black River Road and Bingen Road are some of the oldest pipes and a high pressure differential. Black River Road is a state road and doing any work would require a lot of planning and permits, and more than anything else would require a lot of money. He would prefer to look for an opportunity where an appropriate grant would be available to fund a project like that. It's something that would have a significant impact.

ROLL CALL: 4-0

E. MEADOWS ROAD BRIDGE – HISTORIC NOMINATION – REVIEW OF PROPOSALS

Mrs. deLeon said Council requested the Manager to seek proposals to have the Meadows Road Bridge nominated to the PA Historic and Museum Commissions National Register. The Manager will review the submissions.

Mrs. Huhn said we wanted to try to cover the essentials Council was looking for. They sent the RFP's out to about 16 firms and we received 5 that we have in your packet. They range in prices which she reviewed. AD Marble out of King of Prussia submitted their proposal and their fee would be \$12,900. Council also asked how many bridges they have done successfully and they have had one. They did not provide a timeline so if it's a firm you'd like to look at, we'd ask them for more specifics. Mrs. Huhn said ASC Group out of Harrisburg was \$9,750 and they have had one successful bridge nomination and their proposed timeline is the end of 2020. Mrs. Huhn said Richard Grubb & Associates out of Cranberry, NJ was \$11,195 and they've had three bridge nominations and they'd be looking at the 1Q21.

Mrs. Huhn said SBK & Partners out of Ardmore, PA is \$9,000 and they did not list any successful bridge nominations and they did not provide a timeline. The \$9,000 did not include fees for travel, printing, copies, other incidentals and attendance at the State Preservation Board review meeting. Mrs. Huhn said Skelley & Loy out of Pittsburg is \$7,400 and they have listed ten successful bridge nominations and their timeline is June 2020. In their packets, they had more information on clients they have worked with and the principals in their company.

Mrs. deLeon said she was very impressed with the proposals and very good firms with good history. She spoke to April Frantz at PHMC who said if the Township does decide to move forward, please make sure the consultant you select reaches out to their office immediately. Prior to beginning any research on the nomination, make sure they are following current procedures and that they have the opportunity to discuss the existing information and provide up-to-date guidance. Even though they are all familiar with PHMC, their guidance is tailored to the resource that is being nominated and there have been changes to their practice. Mrs. deLeon said this bridge is very important to our area and that's part of our Township's history. In 2019, PennDOT said it was eligible for listing under criteria for engineering significance of an early PA bridge type circa 1858. It's very rare for the four arches and it's owned by Northampton County.

Mrs. deLeon said you try to go with the lowest bidder, which is Skelley and Loy, they did ten bridges. Anyone we pick would be a reputable firm and be able to do it. Richard Grubb & Associates did the Schoolhouse and Homestead and they were wonderful to work with. They are \$3,000 to \$4,000 more and they only did three bridges.

Mrs. Yerger said while this is all very commendable, have we gotten back the ultimate study on the creek and what the future of the corridor is going to look like in their estimate. Mrs. Yerger said the hydrology because that's key. She loves the bridge too, but can we put it on the register if the integrity of the stream is not going to allow it to stand in the near future, she doesn't want to give any false hope to people. Mrs. deLeon said she's not doing this because she thinks the bridge is going to fall down or not, this is to document the history. Mrs. Yerger said she wants to be very clear to everyone. Because of the banks and the stream integrity as it's decaying rapidly, she doesn't want to present to anyone by doing this that the bridge is going to be saved, it's not a guarantee. Mrs. deLeon said she doesn't want the bridge to collapse before we document it. We're supposed to be saving our history. She feels the Township can afford \$7,000 to do it. Mrs. Yerger said there's no guarantees with this. Mrs. deLeon said it's not going to save the bridge if it's going on the register. Mrs. Yerger said she's fine with that. Mr. Gress asked what fund this would come out. Mrs. Huhn said Planning and Consulting.

Stephanie Brown said she found the article that says they are pushing the bridge off to 2029, so this is your reprieve to do the right thing. She saw how bad the flow is with the creek. Mrs. Yerger

said they are doing a hydrological study and we keep hearing it's coming. It's not just immediately at the bridge, it's going further south along the creek. It's a much bigger issue and the bridge is just part of it. Ms. Brown said what about the flooding and the bad sharp corner on the road. What point is the road affected. Mrs. Yerger said we haven't gotten much of anything. PennDOT is doing the study. Mrs. deLeon said it's a federal program. She saw the article in the paper about how they might not have the money to do anything with the bridge and nobody tells us anything. Mr. Gress said he sees them pushing it off for ten years.

MOTION BY: Mr. Gress moved to authorize Skelly & Loy to prepare a nomination of the Meadows Road Bridge at a cost of \$7,400.00.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0

Mrs. deLeon asked to send another notification to Lamont McClure on who we authorized.

F. SEIDERSVILLE HALL WINDOW REPLACEMENT – REVIEW OF DESIGN AND WINDOW SELECTIONS

Mrs. deLeon said in preparation of the bid specifications for the window replacement in the Seidersville Hall building, staff is requesting Council's decision on certain specifications before final determination can be completed. Boucher and James have provided some items that Council will need to decide which includes the style of window and hardware to be used.

Mrs. Huhn said Ms. Stern Goldstein is present tonight with a list of draft questions. Ms. Stern Goldstein said if you were going to think about this, you've got a big building with all sizes and lots of windows. She thinks we should establish that the windows there are not historic. There are double hung windows so you'd have double pane glass, matching existing sizes, energy efficient windows, the low E insulated glass, frame material is wood, style is double hung, finishes and colors would be white internal and external, grills and it would be wood between the panes. She will talk to a couple window companies as some will do a vinyl in-between. She said grilled pattern we will do standard similar to what is there now, hardware is nickel, trim options would be wood. She asked if Council wanted factory prefinished painted, which is her suggestions. It's a lot of windows and detail work. Council agreed to prefinished paint. She asked about the screens, will they be open or not? Mrs. Huhn said we can ask to we have screens included as an option. Mr. Gress said in the spring and fall, it would be a good idea to be able to open the windows. Ms. Stern Goldstein said when you have windows this big and you open the windows, sometimes enough humidity comes in and you get a mold issue. Mrs. Yerger said a lot of people use the building, so they have to close them. Ms. Stern Goldstein said we should do the screens as an option. They will prepare the bid documents.

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF NOVEMBER 20, 2019 COUNCIL MINUTES

Mrs. deLeon said the November 20, 2019 Council minutes are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the November 20, 2019 minutes, with corrections, if any.

SECOND BY: Mr. Gress

ROLL CALL: 4-0

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mark Wirth said he has three different concerns dealing with some building that's going to be done by Blair and how will affect the drainage at Black River Creek. He has pictures of the old insurance building and in the pictures, there's only a cinder block holding up the steel girder where the water enters under the building. If that steel block collapses, on the other end of the girder is a gas line that goes into the ground. He's not sure if the gas line is shut off to the building. There's three meters to the building and its become an encasement of vines and tree branches. He's afraid if a squirrel gets up there, the building will burn down and the Township would be liable for it. There's also a question of the landscaping debris that's been dumped by David Cawley who owns

the building. He has pictures of barrel rusted drums, flower pots, landscaping pipes washing into the stream, and he'd like to have something done before Blair knocks down the house up the road. Mr. Gress said the house is staying. Mrs. deLeon asked Mr. Wirth to give Leslie the photos. Mr. Wirth said he has a disk with all the pictures and he's concerned about the drainage culvert that controls the main retention pond, just in the past year, another 60' of it has collapsed. If it collapses another 50' further, it's going to go into the culvert and the pictures show quite a bit of drug paraphernalia and the kids were sitting there, if they sit under the 10 ton concrete and it becomes a see saw and collapses and crushes those children, we're going to have problems. He's going to a PennDOT meeting in December to show them these pictures. They said they were going to dredge the drainage swale behind his house which it will probably overflow into his property again. On Black River Road, when you get under the two bridges, there's a main culvert being formed where the water is coming off the two bridges and down onto the road and it's dumping tons of silt in the drainage swale behind the house above his. From where it enters the drainage swale, there are two pipes and the silt is getting halfway up over them and blocking them. The third pipe is an 18" pipe and is taking all the water from six other pipes. He just wants to bring it to your attention. Mrs. Louder said let's have UGI come out and check the gas line under that building and notify the property owner.

- Gordon Gress, Black River Road said if the building falls down it'll do us all a favor. It gets worse and worse. Mr. Wirth commented about the water at Saucon Square, the retention pond is always empty. Mr. Gordon Gress said that pond has never been empty.

VII. COUNCIL & STAFF REPORTS

A. MRS. HUHN - TOWNSHIP MANAGER

- We received a resignation from Mary Curtin who was on the Pension Committee, and she'd like to send her a letter of regret. She's been on a long time. We'll advertise the vacancy for a resident to sit on the Pension Committee.
- We will be conducting the demolition of the Blair House on Monday, December 9th. The PD and fire departments have been using it for training prior to removal.
- At the last meeting Council directed to advertise the vacancy for the Council position. She received some applications and asked if Council would like to discuss the process going forward. Mrs. deLeon said since the date is on Friday, we need to direct Mrs. Huhn if we are going to do them on the 18th, and if we don't appoint someone by the 20th, the Courts have to do it. We have to worry about snow if we wait until the 18th. Do we want to have a special date? Mrs. Yerger said her schedule is jammed. Mrs. deLeon said she's going to recommend to advertise to do it on December 19th. Mrs. Yerger said do we need to do that. Mrs. deLeon said if it snows on the 18th and we have to reschedule, we don't have 24 hours to advertise another meeting. Mr. Gress said he's okay with that. Attorney Treadwell said he's not available on the 19th. He said Mr. Kocher asked a good question, doesn't the vacancy board have another 30 days, but we don't have a vacancy board. Mrs. deLeon said we need to authorize Mrs. Huhn to advertise there may be a Council meeting on the 19th, we don't need Attorney Treadwell here. Attorney Treadwell said if you have a natural emergency on the 18th, you are going to have to reschedule a meeting to adopt the budget. If you don't pick someone to fill the vacancy by the 20th, he doesn't believe the court gets jurisdiction until somebody files a petition, so you still have time. Mrs. deLeon said she disagrees with him. Attorney Treadwell said he's saying if you don't pick it within 30 days, and you pick it on the 40th day, you've still picked somebody, so why would a Judge take jurisdiction at that point. If someone files a petition, then it's over, it's off your plate and in front of the Judge. Mr. Gress said if we don't meet on the 18th, we have to meet before the end of the year to pass the budget. Mrs. deLeon said that it was so important to extend the deadline to the 6th because of the holiday and now we're looking at having people come in on the 23rd or 24th. What are we going to do, schedule it for Christmas Eve? How rude. Mrs. Yerger responded that we don't even know if we're going to reschedule, that it's just a supposition. She could go out and have an accident tonight, but she's not planning for it. Attorney Treadwell said won't we know when we

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get closer to the 18th what the weather forecast will be. If you authorize the Township Manager if it looks like the 18th isn't going to happen based on the weather, then schedule it for the 19th. Mrs. Yerger said she wants Attorney Treadwell here. Attorney Treadwell said how about the 20th. If there's an emergency on the 18th, we'll do it on the 20th. Mrs. Yerger said it's based on if we have a blizzard. Mrs. deLeon said what happens if we get 18 or 20 applicants. Mrs. Yerger said we keep it moving along. Mrs. Huhn said we could start a little earlier like 6:00 p.m. Mrs. Yerger said 6:30 p.m. Attorney Treadwell said someone can make a motion to re-advertise the meeting on December 18th at 6:30 p.m.

MOTION BY: Mrs. Yerger moved to re-advertise the Council meeting on December 18th to 6:30 p.m.

SECOND BY: Mr. Gress

ROLL CALL: 3-1 (Mrs. deLeon – No)

Attorney Treadwell said the second motion would be to authorize the Township Manager if it looks likely that the 18th will be cancelled because of weather, to advertise a special meeting for December 20th at 6:30 p.m.

MOTION BY: Mrs. Yerger moved to authorize the Township Manager, if it looks likely that December 18th meeting will be cancelled because of weather, to advertise a special meeting for December 20th at 6:30 p.m.

SECOND BY: Mr. Gress

ROLL CALL: 3-1 (Mrs. deLeon – No)

Mrs. deLeon said when you re-advertise it for the time on the 18th, do you have to re-advertise the budget. Mrs. Huhn said it's already advertised. We said the final adoption, could it be after? Attorney Treadwell said yes. All the business conducted on the 18th will be conducted on the 20th. He asked what process you are going to use. Mrs. deLeon said she liked the last process. Mrs. Yerger said she didn't, you can just nominate one of the candidates and go from there. It needs to be open and that secret ballot thing was not fair to the public. Mrs. deLeon said it's a process you are allowed to do. Mrs. Yerger said it's not fair to the public. Attorney Treadwell said the way it worked the last time, each Council member had a scoring sheet that had every candidates name on it. There were 16 candidates and each Council member gave each candidate a number so you would give someone a 1, 2, 3 all the way to 16. We then added up the numbers for the candidates and determined who had the most points. Mrs. Yerger said she didn't like the fact that nobody knew what anyone voted. Mr. Gress said what does it matter? Mrs. Yerger said it does matter, we are open to the public. Mr. Gress said it's a Council decision, not a public decision. Mrs. Yerger said we need to be honest with the public and it didn't disclose our vote. She likes to be open about what we are doing. Mr. Gress said should you do it at the end, he's fine with that. Mrs. Yerger said this is a catch 22, but she was not fond of it. Mr. Gress said that will drag things out; use a 10 point system. If you want to disclose the vote at the end, he's fine with that. Mrs. Huhn said right now we have two candidates, it closes on Friday. Mr. Gress said if you only have two applicants, it'll be easy to pick one. Mrs. Yerger said you aren't going to convince her, so stop now.

MOTION BY: Mrs. deLeon moved to do the point system like we did the last time.

SECOND BY: Mr. Gress

ROLL CALL: 2-2 (Mrs. Louder and Mrs. Yerger – No)

Attorney Treadwell said we wait to see how many candidates we get and revisit the issue on the 18th. Mrs. deLeon said she'd like to have a score sheet made up for her for that meeting.

JR. COUNCIL MEMBER

➤ Avia Weber said they got back from Thanksgiving break and are all very tired and waiting for Christmas break.

B. COUNCIL

Mrs. Louder – No report

Mrs. Yerger – No report

Mr. Gress

➤ He said he attended Light Up Night at Dimmick Park and it was a great event.

➤

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Mrs. deLeon

- She got a phone all today from the Delaware River Keeper and on the 12th they are having a meeting for the PennEast Pipeline. Back in January 21, 2015, Council adopted a resolution opposing the construction of the pipeline through LST. There are all kinds of court cases going on and they are asking us to do a letter for this pipeline.

MOTION BY: Mrs. deLeon moved for approval to join the campaign to tell the Delaware River Basin it's time to say no to PennEast pipeline and submit our Resolution #32-2015 as our letter.

Mrs. Louder asked if this was going to run into any money. Attorney Treadwell said no.

SECOND BY: Mr. Gress

ROLL CALL: 4-0

C. **SOLICITOR** – No report

D. **PLANNER** – No report

E. **ENGINEER** – No report

VIII. ADJOURNMENT

MOTION BY: Mr. Gress moved for adjournment. The time was 9:26 p.m.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0

Submitted by:

Leslie Huhn
Township Manager

Priscilla deLeon
Council President