

## MINUTES

Upper Saucon Township Board of Supervisors  
Regular Meeting  
Monday, June 6, 2011 – 6:00 P.M.  
Township Municipal Building

Members Present: Miro A. Gutzmirtl, Chairman  
Stephen Wagner, Vice Chairman  
Joseph M. Horvath  
John E. Gilda, Jr.

Members Absent: Joaquim “Jack” DeMatos

Staff Attending: Thomas F. Beil, Township Manager  
Robert E. Kassel, Jr., Asst. Township Manager  
Dennis Harman, P.E., Township Engineer  
Thomas Dinkelacker, Township Solicitor

### **CALL TO ORDER**

Chairman Gutzmirtl called the meeting to order at 6:00 p.m., in the Public Meeting Room of the Upper Saucon Township Municipal Building, 5500 Camp Meeting Road, Upper Saucon Township, Lehigh County, PA.

### **PLEDGE OF ALLEGIANCE**

Chairman Gutzmirtl asked all in attendance to stand and recite the “Pledge of Allegiance.”

### **PUBLIC COMMENT**

None

### **CHAIRMAN’S REMARKS**

Chairman Gutzmirtl thanked Quakertown National Bank and Coopersburg Construction for their sponsorship of the Township’s NeighborFest event. Quakertown National Bank contributed \$700 and Coopersburg Construction contributed \$100 to the event scheduled to be held Sunday, September 11, 2011.

### **PROPOSED ORDINANCE NO. 141-C – ZONING ORDINANCE AMENDMENT**

Chairman Gutzmirtl introduced Ordinance No. 141-C which amends the Upper Saucon Township Zoning Ordinance by amending the Zoning Map to designate 39+/- acres of a certain tract of land identified as 4373 Route 378 and 2115 Saucon Valley Road as an Age Qualified Community Overlay Zone and to designate 14+/- acres of the same tract of land as a Village Commercial Overlay Zone.

Attorney Dinkelacker reviewed the proposed Ordinance with the Board and introduced the following exhibits into the record:

- T-1 Complete copy of proposed Ordinance 141-C
- T-2 Letter from Sharyn Heater, Director of Community Development, transmitting proposed Ordinance 141-C to Upper Saucon Township Planning Commission
- T-3 Letter from Sharyn Heater, Director of Community Development, transmitting proposed Ordinance 141-C to the Lehigh Valley Planning Commission
- T-4 Review comments received from the Upper Saucon Township Planning Commission
- T-5 Review comments received from the Lehigh Valley Planning Commission
- T-6 Copy of public notice for proposed Ordinance 141-C which ran in The Morning Call newspaper on May 23, 2011, and May 30, 2011
- T-7 Copy of actual public notice printed in The Morning Call on May 23, 2011, and May 30, 2011
- T-8 Notice of rezoning sent to property owners
- T-9 Photographs of property postings
- T-10 Map depicting location of property postings
- T-11 Copy of notices posted on property

Chairman Gutzmirtl asked if anyone from the public wished to comment on the proposed Ordinance. There was no response.

#### Adoption of Proposed Ordinance No. 141-C

Motion made by Mr. Wagner and seconded by Mr. Gilda to adopt proposed Ordinance No. 141-C which amends the Zoning Ordinance by amending the Zoning Map to designate 39+/- acres of a certain tract of land identified as 4373 Route 378 and 2115 Saucon Valley Road as an Age Qualified Community Overlay Zone and to designate 14+/- acres of the same tract of land as a Village Commercial Overlay Zone.

Public comment: None

The motion was adopted by a vote of 4 to 0.

#### **SUBDIVISIONS & LAND DEVELOPMENTS**

##### Resolution No. 2011-20 – Act 537 Plan Special Study and Sewage Facilities Planning Module For Proposed Old Saucon Subdivision

Motion made by Mr. Horvath and seconded by Mr. Gilda to adopt Resolution No. 2011-20 approving the Act 537 Plan Special Study to provide sewer service to the proposed Old Saucon Subdivision and to further approve the associated Sewage Facilities Planning Module for the Old Saucon tract as an amendment to the Township's Act 537 Official Sewage Plan.

The motion was approved by a vote of 4 to 0.

#### **ORDINANCES**

None

## MINUTES

None

## COMMITTEE REPORTS

None

## RESOLUTIONS

### Resolution No. 2011-19 – Appointment of Special Fire Police

Motion made by Mr. Horvath and seconded by Mr. Gilda to adopt Resolution No. 2011-19 appointing various individuals to serve as Special Fire Police for Upper Saucon Township.

Chairman Gutzmir and Mr. Wagner thanked those individuals who volunteer to serve as Special Fire Police.

The motion was adopted by a vote of 4 to 0.

## MOTIONS

### Sale of Used Township Vehicles

Motion made by Mr. Horvath and seconded by Mr. Wagner to authorize the sale of the following used Township vehicles:

- 1999 Ford Crown Victoria (VIN#2FAFP71W3XX189858) to Jersey One Auto Sales for \$305.00.
- 2001 Ford Crown Victoria (VIN#2FAFP71W11X182401) to Jersey One Auto Sales for \$875.00.
- 2003 Ford Crown Victoria (VIN#2FAFP71W43X112720) to Asia Motors, Inc. for \$1,739.00.
- 1998 Ford Explorer (VIN#1FMZU34X1WUB89209) to Asia Motors, Inc. for \$2,179.00.
- 2002 Ford Explorer (VIN#1FMZU3W42UA40691) to Asia Motors, Inc. for \$3,379.00.
- 2005 Ford Explorer (VIN#1FMZU72K65ZA65579) to Asia Motors, Inc. for \$4,179.00.
- 1990 Ford L-8000 Tandem Axle Dump Truck (VIN#1FDZW82A3LVA20014) to Barker & Barker for \$6,100.00.

The motion was adopted by a vote of 4 to 0.

### Request For Payment – Harris Gramm Contractors, Inc. – Certification No. 6 (Final)

Motion made by Mr. Gilda and seconded by Mr. Wagner to authorize payment in the amount of \$64,540.32 to Harris Gramm Contractors, Inc., for work completed on the Saucon Rail Trail.

The motion was adopted by a vote of 4 to 0.

**PRESENTATION BY DENNIS HARMAN OF THE PIDCOCK COMPANY – WATER SYSTEM STATUS REPORT – MAY, 2011**

Dennis Harman, Township Engineer, presented an update on the Township's water system. He highlighted the following items:

1. Design completed and permitting underway on new water supply well on property at 7600 Blue Church Road South (Gun Club).
2. Construction was completed on a new water main to connect Stabler Corporate Center to existing Township distribution system. Mr. Harman noted a savings of \$63,000.00 per year in water operating costs as a result of the Stabler Center connection.
3. Agreement to extend Township water to proposed Brinley Court development and emergency interconnection with Borough of Coopersburg.
4. Over the past 7 months, all coliform water tests have shown negative results.

**CORRESPONDENCE AND INFORMATION ITEMS**

None

**DIRECTION/DISCUSSION ITEMS**

Zoning Hearing Board Agenda – June 13, 2011

Mr. Beil reviewed the June 13, 2011 Zoning Hearing Board agenda with the Board. It was the consensus of the Board that the Township Solicitor should appear before the Zoning Hearing Board to express the Township's support for the variance request related to the proposed Old Saucon development.

Saucon Rail Trail (Construction of Section South of Township Park)

1. End trail at Lutron or continue to Southern Lehigh Living Memorial Park. Mr. Beil indicated that plans are underway to construct the next section of rail trail located south of the Township Park. A discussion ensued concerning the optimum location to terminate this section of trail. It was the consensus of the Board to extend the trail from the Township Park to the Southern Lehigh Living Memorial Park where it will interconnect with the existing trail system.
2. Have Brinley Court developer build trail in lieu of paying recreation fee. Mr. Beil reported that the developer of the Brinley Court townhouse project will either: 1) pay a recreation fee of \$471,000 or, 2) build recreational facilities for the same amount. It is believed the developer could build the next section of the rail trail from the Township Park to the Southern Lehigh Living Memorial Park for an estimated cost of \$470,000. It was the consensus of the Board that the developer of Brinley Court be directed to construct the next section of rail trail at a cost of \$471,500.00 in lieu of paying a recreation fee. If the rail trail project costs less than \$471,500.00, the developer will pay a recreation fee to make up the difference. Mr. Horvath noted the rail trail is a high priority for the Township and the

Township can get more bang for its buck by having the developer build the trail because the developer does not have to pay prevailing wage.

3. Fencing along trail. Mr. Beil suggested that a 7 foot tall solid fence be constructed along a 1,000 foot section of the trail in order to provide privacy to three property owners whose homes are located close to the trail. The properties in question are located at 6341, 6345 and 6381 New Street. It was the consensus of the Board to erect a 7 foot tall solid vinyl fence along a 1,000 foot section of the trail to the rear of the properties at 6341, 6345 and 6381 New Street.
4. Proposed trail head along Station Avenue. Mr. Beil reviewed a recommendation by Mr. Harman to create a trail head with a stone parking lot along Station Avenue. The Board concurred with the recommendation.
5. Update by Township Manager on Rail Trail presentation to Coopersburg Borough Council on May 24, 2011. Mr. Beil said he gave a presentation to Coopersburg Borough Council concerning the next phase of the Rail to Trail Project. The presentation was well received by Borough Council and the Borough is eager to work with the Township on this project.

Cancellation of Board of Supervisors Meeting Scheduled For June 20, 2011

Mr. Beil noted that there are no pending items for the June 20, 2011 meeting and the Board agreed to cancel the meeting.

**BILLS, PAYROLL, AND COMMISSIONS**

Prepaid Invoice List #06062011 dated 06/03/2011 for \$121,674.94  
Warrant List #06062011 dated 06/03/2011 for \$391,317.60

Motion made by Mr. Horvath and seconded by Mr. Gilda to authorize the payment of the Prepaid Invoice List and the Warrant List.

The motion was approved by a vote of 4 to 0.

**ADDITIONAL BUSINESS**

Fairmont Village Shopping Center – Decorative Stone Used In Parking Lot Landscape Islands

Mr. Harman said that approval of the Preliminary/Final Land Development Plan of APS Associates for a CVS Pharmacy at the Fairmont Village Shopping Center was conditioned upon modification of all parking lot planting islands in the shopping center through replacement of existing decorative stone with a material satisfactory to the Township. He asked the Board if it was acceptable for the developer to use river rock type stone in the parking lot planting islands. Chairman Gutzmirtl objected to the use of river rock stone. It was the consensus of the Board that the decorative stone used in the Fairmont Village Shopping Center parking lot planting islands be ¾” stone similar to the red stone in the planting areas at the Township Building. Mr. Harman will relay the information to the developer.

**COURTESY OF THE FLOOR**

None

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Motion made by Mr. Wagner and seconded by Mr. Horvath to adjourn the meeting.

The motion carried by a vote of 4 to 0.

Secretary \_\_\_\_\_

