

## MINUTES

Upper Saucon Township Board of Supervisors  
Regular Meeting  
Monday, July 13, 2015 – 6:30 P.M.  
Township Municipal Building

Members Present: Stephen Wagner, Chairman  
Joaquim "Jack" DeMatos, Vice Chairman  
Dennis E. Benner  
Philip W. Spaeth

Members Absent: Patrick M. Leonard

Staff Attending: Thomas F. Beil, Township Manager  
Joseph Geib, Special Projects / Communications Coordinator  
Jeffrey Dimmich, Township Solicitor  
Charles Unangst, P.E., Township Engineer  
Joanna Slagle, Director of Community Development

### **CALL TO ORDER**

Chairman Wagner called the meeting to order at 6:30 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**

Mr. Wagner asked all in attendance to stand and recite the "Pledge of Allegiance."

### **NOTIFICATION**

Mr. Wagner announced that all public sessions of the Upper Saucon Township Board of Supervisors are electronically recorded. The recordings are maintained as part of the record of the meeting until the minutes are transcribed and approved by the Board.

### **PUBLIC COMMENT**

None

### **PUBLIC ANNOUNCEMENTS**

None

**PRESENTATION BY REBECCA CLOUSER OF REINSEL KUNTZ LESHER LP –  
2014 ANNUAL AUDIT OF TOWNSHIP ACCOUNTS**

Rebecca Clouser of Reinsel Kuntz Leshner LP provided an overview of the 2014 Annual Audit of Township accounts. The complete audit report is on file in the Township Manager's Office.

**OVERVIEW OF LIBRARY ACTIVITIES FOR 2014 - KRISTEN BRUCK,  
PRESIDENT OF SOUTHERN LEHIGH PUBLIC LIBRARY BOARD OF  
DIRECTORS**

Kristen Bruck, President of the Southern Lehigh Public Library Board of Directors, reported on the Library's recent projects and activities.

**SUBDIVISIONS & LAND DEVELOPMENTS**

None

**MINUTES**

Regular Meeting of May 11, 2015

Motion made by Mr. Spaeth and seconded by Mr. Benner to approve the minutes of the regular meeting of May 11, 2015.

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

Regular Meeting of June 8, 2015

Motion made by Mr. DeMatos and seconded by Mr. Benner to approve the minutes of the regular meeting of June 8, 2015.

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

**COMMITTEE REPORTS**

Planning/Zoning Committee Meeting of June 22, 2015 – Supervisor Wagner

Mr. Wagner said the Committee reviewed a request by Greg Kessell of Saucon Creek Golf LP for the Township to relax its zoning regulations to allow certain structures and construction activities in the 500-year floodplain. After thoroughly reviewing this matter, the Committee found the existing floodplain regulations are appropriate and there is no compelling reason to pursue an amendment.

Greg Kessell of Sacuon Creek Golf LP - Mr. Kessell wanted to know what the Township is trying to protect by prohibiting any type of development from taking place in the 500-year floodplain. He said other municipalities regulate the placement of critical facilities such as hospitals and prisons in the 500-year floodplain but they do not prohibit all forms of development.

Appointments Review Committee Meeting of June 30, 2015 – Supervisor DeMatos

It was noted the Appointments Review Committee recommended the appointment of Mark P. Sullivan to the Municipal Authority and Sewage Treatment Authority.

**ORDINANCES**

None

**RESOLUTIONS**

Resolution No. 2015-28 – Amending Recreation Fee

Motion made by Mr. DeMatos and seconded by Mr. Benner to adopt Resolution No. 2015-28 amending the dollar amount of the Recreation Fee to be paid by developers from \$8,390.00 per approved building lot or dwelling unit to \$5,000.00 per approved building lot or dwelling unit.

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

Resolution No. 2015-26 – Comprehensive Fee Schedule for Community Development Department

Motion made by Mr. Benner and seconded by Mr. DeMatos to adopt Resolution No. 2015-26 updating the comprehensive fee schedule for the Subdivision & Land Development process, building permit process, building code appeals, certificate of occupancy issuance, zoning permits, zoning appeals, stormwater infiltration testing and activities performed in connection with on-lot sewage disposal systems.

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

Resolution No. 2015-27 – PennDOT Winter Traffic Services Agreement

Motion made by Mr. Benner and seconded by Mr. DeMatos to adopt Resolution No. 2015-27 authorizing the Chairman of the Board of Supervisors to execute the Winter Traffic Services Agreement with PennDOT.

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

Resolution No. 2015-29 – Disposition of Township Records

Motion made by Mr. DeMatos and seconded by Mr. Benner to adopt Resolution No. 2015-29 authorizing the disposition of certain Township records in accordance with the schedules and procedures established in the Municipal Records Manual published by the Pennsylvania Historical and Museum Commission.

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

## MOTIONS

### Upper Saucon Township Municipal Authority & Upper Saucon Sewage Treatment Authority– Resignation of current member and appointment of new member

Motion made by Mr. Benner and seconded by Mr. DeMatos to accept the resignation of George Thomas V from the Upper Saucon Township Municipal Authority & Upper Saucon Sewage Treatment Authority effective immediately.

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

Motion made by Mr. DeMatos and seconded by Mr. Benner to appoint Mark P. Sullivan to the Upper Saucon Township Municipal Authority & Upper Saucon Sewage Treatment Authority for a partial term expiring on December 31, 2018.

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

### Request For Payment – Alan Kunsman Roofing & Siding – Certification No. 3 (Final)

Motion made by Mr. Spaeth and seconded by Mr. Benner to authorize final payment in the amount of \$7,319.25 to Alan Kunsman Roofing & Siding for work completed on the Municipal Building Roof Replacement Project.

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

### Designate Accident and Illness Prevention Program Coordinator

Motion made by Mr. Benner and seconded by Mr. DeMatos to designate Thomas Young, Director of Finance, to serve as the Accident and Illness Prevention Program Coordinator for Upper Saucon Township.

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

### Request For Payment – James D. Morrissey, Inc. – Certification No. 5 (Final)

Motion made by Mr. Benner and seconded by Mr. DeMatos to authorize final payment in the amount of \$25,395.99 to James D. Morrissey, Inc., for work completed on the Station Avenue Roadway Rehabilitation Project.

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

## CORRESPONDENCE & INFORMATION ITEMS

None

## **DIRECTION/DISCUSSION ITEMS**

Appointment of Nauman, Smith, Shissler and Hall LLP as special counsel to represent the Township before the Pennsylvania Public Utilities Commission for the purpose of obtaining approval for a new pedestrian bridge where the Rail Trail crosses Preston Lane

Mr. Beil reviewed this matter with the Board. He explained the proposed pedestrian bridge over Preston Lane is likely to require the approval of the Pennsylvania Public Utilities Commission (PUC). He suggested hiring a specialized law firm such as Nauman, Smith, Shissler and Hall to represent the Township in this matter. He said Nauman, Smith, Shissler and Hall has extensive experience handling cases before the PUC.

Motion made by Mr. Benner and seconded by Mr. Spaeth to appoint Nauman, Smith, Shissler and Hall LLP as special counsel to represent the Township before the Pennsylvania Public Utilities Commission in order to gain approval to build a new pedestrian bridge where the Rail Trail crosses Preston Lane.

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

Memo from Joanna Slagle, Director of Community Development, regarding recommended changes to Zoning Ordinance (for possible referral to Planning & Zoning Committee)

The Board discussed Ms. Slagle's memo dated June 24, 2015 recommending various changes to the Township Zoning Ordinance.

Mr. Benner suggested adding slope zoning to the list of possible zoning changes. He said the current slope zoning regulations are pretty egregious.

Mr. Spaeth said prohibiting roadside swales like the one in the TOA development and increasing the front yard setbacks for homes should be added to the list.

It was the consensus of the Board to refer the issues identified in Ms. Slagle's memo, as well as the additional issues raised by Messrs. Benner and Spaeth, to the Planning and Zoning Committee. The Committee will review the various zoning related issues and report back to the full Board with recommendations.

## **BILLS, PAYROLL, AND COMMISSIONS**

Motion made by Mr. Benner and seconded by Mr. DeMatos to authorize payment of the Prepaid Invoice List and Warrant List #07132015 dated 07/10/2015.

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

## **ADDITIONAL BUSINESS**

A discussion ensued concerning the need for possible changes to the Township's 500-year floodplain regulations.

Mr. Benner wanted to know if there is a rational basis for prohibiting all development in the 500-year floodplain.

The Board asked Mr. Beil to work with the Township's Planning Consultant to identify both the benefits and drawbacks of prohibiting development in the 500-year floodplain. Mr. Beil will report back to the Board on this matter.

### **COURTESY OF THE FLOOR**

None

### **EXECUTIVE SESSION**

At 7:51 p.m., the Board met in executive session to discuss:

- Possible acquisition of property by the Township.
- Potential litigation involving the City of Bethlehem.

The Board returned from executive session at approximately 8:39 p.m.

### **ADJOURNMENT**

Motion made by Mr. Benner and seconded by Mr. DeMatos to adjourn the meeting.

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

The meeting was adjourned at approximately 8:41 p.m.

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Secretary