

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, September 12, 2016 – 6:30 P.M.
Township Municipal Building

Members Present: Stephen Wagner, Chairman
Patrick M. Leonard, Vice Chairman
Dennis E. Benner
Brian J. Farrell
Philip W. Spaeth

Staff Attending: Thomas F. Beil, Township Manager
Robert E. Kassel, Jr., Assistant Township Manager
Jeffrey Dimmich, Township Solicitor
Charles Unangst, P.E., Township Engineer

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

Rollin Hallman, 6480 Blue Church Road South – Mr. Hallman was concerned about increased tractor trailer traffic on Blue Church Road South and Mill Road. Mr. Hallman believes when trucks exit the Turnpike, GPS systems are directing them to follow country roads like Blue Church Road South instead of Route 309. Mr. Hallman compiled a list of truck traffic that passed his house in a 28-day period.

Solicitor Dimmich explained the process the Township would have to follow in order to legally restrict truck traffic on a road. He said the process starts with the Township Engineer

performing a traffic study. Mr. Beil added that Blue Church Road South and Mill Road are State Roads so PennDOT would need to be involved.

The Board authorized the Township Engineer to perform the appropriate engineering study to determine if truck restrictions are warranted on Blue Church Road South. The results of this study will be presented to the Board for review and possible action at a future meeting.

Doris Hallman, 6480 Blue Church Road South - Mrs. Hallman wanted to notify the Board that there is also an issue with vehicles speeding on Blue Church Road South. She said it is a safety issue because residents need to cross the road to reach their mailboxes. Mr. Beil will inform the Police Chief of the speeding problem on Blue Church Road South.

Mary Carl, 7335 Blue Church Road South - Mrs. Carl was in agreement that there is a truck problem as well as a speeding problem on Blue Church Road South.

PUBLIC ANNOUNCEMENTS

Mr. Wagner made the following announcements:

- The Environmental Advisory Council will hold another Backyard Natural Habitat program “The Power of Water” on Thursday, September 22 at 7:00 p.m. at the Southern Lehigh Public Library.
- There will be an electronics recycling event on Saturday, October 15, from 9 a.m. – 12 p.m. at the Southern Lehigh Public Library.
- A prescription drug take-back day will take place on Saturday, October 22, from 10 a.m. – 2 p.m. at the Upper Saucon Township Police Department. At this event, you can dispose of your expired and unused prescription and over-the-counter medications.

PRESENTATION BY JAMES SCHLESINGER OF PUBLIC FINANCIAL MANAGEMENT – OPTIONS AND STRATEGIES FOR FINANCING FUTURE ROAD IMPROVEMENT AND RECREATION PROJECTS

Mr. Schlesinger of Public Financial Management reviewed the various options available to the Board with respect to borrowing funds for future road improvement and recreation projects.

A discussion ensued concerning the advantages and disadvantages of the various borrowing options presented by Mr. Schlesinger.

It was the consensus of the Board to move forward with the bank loan option which includes refinancing \$3,300,000 in existing debt and borrowing \$6,700,000 in new money for future road improvement and recreation projects.

SUBDIVISIONS & LAND DEVELOPMENTS

Traditions of America – Revised Final Plans for Phases 3 and 4 – Resolution No. 2016-28
Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2016-28 conditionally approving the Revised Final Land Development Plans for Phases 3 and 4 of the Traditions of America age qualified community located at the northwest corner of Lanark Road and West Hopewell Road.

Eric Griesemer of Traditions of America and Brian Engle of Rettew Associates were present on behalf of the developer.

Mr. Engle noted a minor typographical error on page 2 of the Resolution. Mr. Beil said the typographical error would be corrected in the final version of the Resolution.

The motion was approved by a vote of 5 to 0.

MINUTES

Regular Meeting of July 25, 2016

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the regular meeting of July 25, 2016.

The motion was approved by a vote of 3 to 0 with Mr. Wagner and Mr. Farrell abstaining as they did not attend the meeting.

Regular Meeting of August 8, 2016

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the regular meeting of August 8, 2016.

The motion was approved by a vote of 5 to 0.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 141-K – ZONING ORDINANCE AMENDMENT

Proposed Ordinance No. 141-K amends the Township Zoning Ordinance by modifying the design requirements of the R-2 Zoning District and relaxing the beekeeping regulations.

Chairman Wagner opened the hearing and asked Solicitor Dimmich to handle the proceedings.

Solicitor Dimmich briefly summarized the proposed Ordinance and said the purpose of the hearing was to accept public input on the proposed Ordinance.

Solicitor Dimmich introduced the following exhibits into the record:

- Exhibit T-1 - Complete copy of proposed Ordinance 141-K.

- Exhibit T-2 - Letter dated July 14, 2016 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance 141-K to Upper the Saucon Township Planning Commission.
- Exhibit T-3 - Letter dated July 14, 2016 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance 141-K to the Lehigh Valley Planning Commission.
- Exhibit T-4 - Review comments received from the Upper Saucon Township Planning Commission.
- Exhibit T-5 - Review comments received from the Lehigh Valley Planning Commission.
- Exhibit T-6 - Copy of public notice for proposed Ordinance 141-K which ran in The Morning Call newspaper on August 25, 2016, and September 1, 2016.
- Exhibit T-7 - Copy of actual public notice printed in The Morning Call on August 25, 2016, and September 1, 2016.

The exhibits will become part of the official file which is available for public inspection at the Township Building.

A lengthy discussion ensued amongst the Board members and staff concerning various aspects of the proposed Ordinance.

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

Solicitor Dimmich closed the public hearing.

Adoption of Proposed Ordinance No. 141-K

Motion made by Mr. Benner and seconded by Mr. Leonard to adopt proposed Ordinance No. 141-K which amends the Zoning Ordinance by modifying the design requirements of the R-2 Zoning District and relaxing the beekeeping regulations.

The motion was approved by a vote of 5 to 0.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 145-A – AMENDMENT TO SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Ordinance No. 145-A amends the Subdivision and Land Development Ordinance by revising the definition of “Land Development” to conform more closely with the Municipalities Planning Code and establishing developer obligations with respect to the maintenance of streets, including snow removal.

Public Hearing on Proposed Ordinance No. 145-A

Chairman Wagner opened the hearing and asked Solicitor Dimmich to handle the proceedings.

Solicitor Dimmich summarized the proposed Ordinance and said the purpose of the hearing was to accept public input on the proposed Ordinance.

Solicitor Dimmich introduced the following exhibits into the record:

- Exhibit T-1: Complete copy of proposed Ordinance No. 145-A.
- Exhibit T-2: Letter dated July 14, 2016 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance 145-A to the Upper Saucon Township Planning Commission.
- Exhibit T-3: Letter dated July 14, 2016 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance 145-A to the Lehigh Valley Planning Commission.
- Exhibit T-4: Review comments received from the Upper Saucon Township Planning Commission.
- Exhibit T-5: Review comments received from the Lehigh Valley Planning Commission.
- Exhibit T-6: Copy of the public notice for proposed Ordinance 145-A that ran in The Morning Call on August 25, 2016 and September 1, 2016.
- Exhibit T-7: Copy of actual public notice printed in The Morning Call on August 25, 2016 and September 1, 2016.

The exhibits will become part of the official file which is available for public inspection at the Township Building.

Solicitor Dimmich asked if anyone from the public wished to comment on the Ordinance. There was no response.

Solicitor Dimmich closed the public hearing.

Adoption of Proposed Ordinance No. 145-A

Motion made by Mr. Benner and seconded by Mr. Leonard to adopt proposed Ordinance No. 145-A which amends the Subdivision and Land Development Ordinance by revising the definition of "Land Development" to conform more closely with the Municipalities Planning Code and establishing developer obligations with respect to the maintenance of streets, including snow removal.

The motion was approved by a vote of 5 to 0.

RESOLUTIONS

None

MOTIONS

Release of Funds – Traditions of America – Phase 1 - Certification No. 2

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize the release of construction security in the amount of \$722,407.68 for Phase 1 of the Traditions of America development in accordance with the Community Development Director's memo dated August 29, 2016.

The motion was approved by a vote of 5 to 0.

Release of Funds – Traditions of America - Phase 2 – Certification No. 1

Motion made by Mr. Benner and seconded by Mr. Leonard to authorize the release of construction security in the amount of \$782,431.90 for Phase 2 of the Traditions of America development in accordance with the Community Development Director's memo dated August 29, 2016.

The motion was approved by a vote of 5 to 0.

Appointment of Sewage Enforcement Officers

Motion made by Mr. Leonard and seconded by Mr. Benner to appoint Gregory C. Gray (SEO #03945), Christopher A. Taylor (SEO #03138) and Jacob A. Schray (SEO #03134) of Hanover Engineering Associates, Inc., as sewage enforcement officers to act on behalf of Upper Saucon Township for administration and enforcement of the Pennsylvania Sewage Facilities Act.

The motion was approved by a vote of 5 to 0.

Request For Payment – Patrick Paving and Excavation, Inc. – Certification No. 1

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize payment in the amount of \$88,546.40 to Patrick Paving and Excavation, Inc., for work completed on the Community Park Trail Relocation and Extension Project.

The motion was approved by a vote of 5 to 0.

Request For Payment – Semmel Excavating, Inc. – Certification No. 2

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize payment in the amount of \$90,145.39 to Semmel Excavating, Inc., for work completed on the Camp Meeting Road Intersection Improvements Project.

The motion was approved by a vote of 5 to 0.

Release of Funds – Traditions of America - Phase 2 – Certification No. S-1

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize the release of construction security in the amount of \$166,098.77 for Phase 2 of the Traditions of America development in accordance with the Community Development Director's memo dated September 7, 2016.

The motion was approved by a vote of 5 to 0.

CORRESPONDENCE & INFORMATION ITEMS

Memo dated September 12, 2016 from Thomas Young, Director of Finance – 2017 Minimum Municipal Obligation For Township Pension Plans and Firefighters Length of Service Awards Program (LOSAP)

Mr. Beil reviewed the memo dated September 12, 2016 from Thomas Young, Director of Finance, concerning the 2017 Minimum Municipal Obligation for the Township Pension Plans and the Firefighters Length of Service Awards Program (LOSAP). Mr. Beil said the memo is for the Board's information only and no action is required at this time.

DIRECTION/DISCUSSION ITEMS

Possible amendments to Ordinance regulating Fireworks

Mr. Beil said he received several complaints about a recent fireworks display on a property off of Lanark Road. The residents who complained were of the opinion that the Township's current fireworks ordinance was not strict enough and the Township should consider banning fireworks altogether.

Solicitor Dimmich said State law does not allow the Township to ban fireworks displays, however, the Township can place reasonable restrictions on such displays.

Solicitor Dimmich said he prepared a confidential legal memo on this issue which could be released to the public if the Board chooses to do so. The Board decided not to release the memo to the public at this time.

Michael Dueh of 4550 Vera Cruz Road expressed concern with a fireworks display that took place at a neighbor's property on August 27, 2016. He said it was a huge display that shook his windows and scared his dog. Mr. Dueh said he complained to the police but was told there was nothing they could do because the display complied with the Township's fireworks ordinance. He said noise is the primary concern and maintained that such displays are not appropriate for residential areas.

Supervisor Wagner said this is a very complicated matter that needs to be studied more with the Solicitor's involvement.

It was the consensus of the Board to refer this matter to the Public Works Committee.

Request by Roy Laubach for access easement through Township Park

The Board reviewed Mr. Laubach's request for an access easement through the Township Park. The easement would be used to access a property owned by Mr. Laubach which is adjacent to the Park. The Board was disinclined to grant Mr. Laubach's request. In addition, the Board directed the Township Manager to post signs that read "Private - Township Property" along the main driveway to the Park on the south side of Preston Lane. Mr. Laubach, as well as two other property owners, regularly use the Park driveway to access their properties. It was noted that Mr. Laubach and the other two property owners are supposed to be using a private bridge, which has fallen into disrepair, to access their properties.

Golf cart crossing at Wedgewood Golf Course

Mr. Spaeth expressed concern over the golf cart crossing at Wedgewood Golf Course. He said he witnessed an auto accident where a car rear-ended another car which had stopped to let a golf cart cross Limeport Pike. There seems to be some confusion as to whether the cars should yield to the golf carts or the golf carts should yield to the cars. Mr. Spaeth asked if something could be done to make the golf cart crossing safer. Mr. Unangst said he would look into the issue.

COMMITTEE REPORTS

None

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Benner and seconded by Mr. Leonard to authorize payment of the Prepaid Invoice List and Warrant List #09122016 dated 09/09/2016.

The motion was approved by a vote of 5 to 0.

ADDITIONAL BUSINESS

Solicitor Dimmich brought to the Board's attention a recent memo he prepared regarding political signs. The memo was distributed to the Board members prior to the meeting.

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

At approximately 9:26 p.m., the Board met in Executive Session to discuss the possibility of the Township acquiring an interest in real property.

At 9:47 p.m., the Board returned from Executive Session.

ADJOURNMENT

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

The motion was approved by a vote of 5 to 0.

The meeting was adjourned at approximately 9:48 p.m.

Secretary