

## **MINUTES**

Upper Saucon Township Board of Supervisors  
Reorganization Meeting  
Monday, January 4, 2016 – 6:30 P.M.  
Township Municipal Building

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

Members Absent: Philip W. Spaeth

Staff Attending: Thomas F. Beil, Township Manager  
Robert E. Kassel, Jr., Assistant Township Manager  
Jeffrey Dimmich, Township Solicitor  
Kevin Chimics, P.E., Township Engineer  
Patricia Lang, Director of Community Development

### **CALL TO ORDER**

Mr. 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.

### **REORGANIZATION OF THE BOARD OF SUPERVISORS**

#### **Elect Chairman**

It was the consensus of the Board that Solicitor Dimmich should conduct the election for the position of Chairman of the Board of Supervisors.

Solicitor Dimmich asked for nominations for the position of Chairman.

Motion made by Mr. Leonard and seconded by Mr. Benner to elect Stephen Wagner as Chairman of the Board of Supervisors.

There being no further nominations, the nominations were closed and Solicitor Dimmich called for the vote.

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

Mr. Wagner said he appreciated the Board's confidence and support.

Elect Vice Chairman

Chairman Wagner asked for nominations for the position of Vice Chairman.

Motion made by Mr. Benner and seconded by Mr. Farrell to elect Patrick Leonard as Vice Chairman of the Board of Supervisors.

There being no further nominations, the nominations were closed and the Chairman called for the vote.

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

Appoint Township Secretary

Motion made by Mr. Leonard and seconded by Mr. Benner to appoint Thomas F. Beil as Township Secretary.

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

Appoint Township Treasurer

Motion made by Mr. Benner and seconded by Mr. Leonard to appoint Robert E. Kassel, Jr., as Township Treasurer.

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

Appoint Assistant Township Secretary

Motion made by Mr. Leonard and seconded by Mr. Farrell to appoint Robert E. Kassel, Jr., as Assistant Township Secretary.

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

Appoint Assistant Township Treasurer

Motion made by Mr. Leonard and seconded by Mr. Farrell to appoint Thomas F. Beil as Assistant Township Treasurer.

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

## **PUBLIC COMMENT**

None

## **PUBLIC ANNOUNCEMENTS**

Mr. Wagner welcomed Brian Farrell, the newest member of the Board of Supervisors. Mr. Farrell will serve a six-year term and replaces Joaquim “Jack” DeMatos who chose not to run for re-election.

Mr. Wagner said two vacancies exist on the Park and Recreation Commission. Anyone interested in volunteering should refer to the Township’s website.

## **AWARDING OF SERGEANT BADGE TO POLICE OFFICER JUSTIN DRISCOLL**

Chief Coyle introduced Sergeant Driscoll who was recently promoted from patrol officer to sergeant. Chairman Wagner congratulated Sergeant Driscoll and presented him with his sergeant’s badge.

## **REORGANIZATION BUSINESS**

### Establish Treasurer’s Bond

Motion made by Mr. Leonard and seconded by Mr. Benner to establish the Treasurer’s Bond for the year 2016 at \$2,000,000.00.

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

### Establish Assistant Treasurer’s Bond

Motion made by Mr. Farrell and seconded by Mr. Leonard to establish the Assistant Treasurer’s Bond for the year 2016 at \$2,000,000.00.

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

### Depositories for Township Funds – Resolution Nos. 2016-01 and 2016-02

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution Nos. 2016-01 and 2016-02 approving QNB Bank and National Penn Bank as depositories for Township Funds for the year 2016.

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

### Appointment of Solicitor

Motion made by Mr. Benner and seconded by Mr. Farrell to appoint the law firm of Dimmich, Dinkelacker and Anewalt, P.C., as Township Solicitor and to approve the fee agreement with Dimmich, Dinkelacker and Anewalt, P.C., effective January 1, 2016.

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

Reappointment of Township Engineer

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Charles Unangst, P.E., or his designee as an employee of Hanover Engineering Associates, Inc., to serve as Township Engineer and to compensate the Township Engineer for services rendered in accordance with the 2016 Professional Fee Schedule included with Mr. Unangst's letter of December 8, 2015.

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

Reappointment of Township Conflict Engineer

Motion made by Mr. Farrell and seconded by Mr. Leonard to reappoint C. Robert Wynn, P.E., or his designee as an employee of C. Robert Wynn Associates, Inc., to serve as Township Conflict Engineer and to compensate the Township Conflict Engineer for services rendered in accordance with the Schedule of Per Diem Fees, effective January 1, 2014, as previously provided by C. Robert Wynn Associates, Inc.

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

Reappointment of Sewage Enforcement Officers

Motion made by Mr. Leonard and seconded by Mr. Farrell to reappoint Jeffrey T. Huff (SEO #01900), Jacob A. Schray (SEO #03134) and Christopher A. Taylor (SEO #03138) 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 4 to 0.

Reappointment of Township Engineer for Municipal Sanitary Sewer Matters

Motion made by Mr. Leonard and seconded by Mr. Farrell to reappoint Karl Schreiter, Jr., P.E., to serve as Township Engineer for Municipal Sanitary Sewer Matters and to compensate Mr. Schreiter for services rendered in accordance with the Schedule of Billing Charges, effective January 1, 2016, as provided by Schreiter Engineering Associates, Inc.

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

Reappointment of Geotechnical Consultant

Motion made by Mr. Benner and seconded by Mr. Farrell to reappoint Leidos Engineering, LLC, as the Township Geotechnical Consultant and to compensate the Township Geotechnical Consultant for services rendered in accordance with the 2016 Geotechnical Services Rate Schedule included with Kent Littlefield's letter of December 14, 2015.

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

Reappointment of Auditor – Resolution No. 2016-03

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2016-03 reappointing the accounting firm of Reinsel Kuntz Leshner, LLP to perform the 2015 annual financial audit of Township accounts.

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

Reappointment of Third Party Agency For Administration and Enforcement of PA  
Construction Code Act

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Keycodes Inspection Agency and its construction code officials, as the sole third-party agency to act on behalf of Upper Saucon Township for administration and enforcement of the Pennsylvania Construction Code Act, in accordance with Section 503(b)(2) of the Act and Section 3.b of Upper Saucon Township Ordinance No. 130.

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

Reappointment of Municipal Code Official and Primary Building Code Official

Motion made by Mr. Leonard and seconded by Mr. Farrell to reappoint David I. Shields of Keycodes Inspection Agency as the municipal code official and primary building code official to act on behalf of Upper Saucon Township for administration and enforcement of the Pennsylvania Construction Code Act, in accordance with Section 503(b)(1) of the Act and Section 3.a of Upper Saucon Township Ordinance No. 130.

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

**Appointments/Reappointments to Boards and Commissions**

Vacancy Board

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Richard M. Nelson to the Upper Saucon Township Vacancy Board for a one year term expiring on December 31, 2016.

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

Police Pension Committee

Motion made by Mr. Leonard and seconded by Mr. Farrell to appoint Dennis Benner, Philip Spaeth and Thomas Nicoletti to the Upper Saucon Township Police Pension Committee for the 2016 calendar year.

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

Non-Uniformed Employees' Pension Committee

Motion made by Mr. Farrell and seconded by Mr. Benner to appoint Thomas E. Young, Francis Stauffer and Philip Spaeth to the Upper Saucon Township Non-Uniformed Employees' Pension Committee for the 2016 calendar year.

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

Environmental Advisory Council

Motion made by Mr. Leonard and seconded by Mr. Farrell to reappoint Thomas L. Gettings to the Environmental Advisory Council for a three year term expiring December 31, 2018.

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

Designate Chairperson of Environmental Advisory Council

Motion made by Mr. Leonard and seconded by Mr. Benner to designate Thomas L. Gettings as Chairperson of the Upper Saucon Township Environmental Advisory Council for the year 2016.

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

Environmental Advisory Council

Motion made by Mr. Benner and seconded by Mr. Farrell to reappoint Geraldine Davies to the Environmental Advisory Council for a three year term expiring December 31, 2018.

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

Municipal Authority/Sewage Treatment Authority

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Joaquim (Jack) DeMatos to the Municipal Authority and Sewage Treatment Authority for a five year term expiring on December 31, 2020.

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

Zoning Hearing Board

Motion made by Mr. Benner and seconded by Mr. Farrell to adopt Resolution No. 2016-04 reappointing James T. Rouland to the Upper Saucon Township Zoning Hearing Board for a three year term expiring on December 31, 2018.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Robert A. Bosak to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2016.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint David T. Howard to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2016.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Farrell and seconded by Mr. Benner to reappoint Stewart J. Gouck to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2016.

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

Saucon Rail Trail Oversight Commission

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Peter J. Jarrett to the Saucon Rail Trail Oversight Commission for a four year term expiring on December 31, 2019.

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

Establish 2016 Regular Meeting Schedule

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the Board's regular meeting schedule for 2016 as indicated below:

2016 Regular Meeting Schedule

*Monday, January 4, 2016 (Reorg.)	Monday, July 11, 2016
Monday, January 25, 2016	Monday, July 25, 2016
Monday, February 8, 2016	Monday, August 8, 2016
Monday, February 22, 2016	Monday, August 22, 2016
Monday, March 14, 2016	Monday, September 12, 2016
Monday, March 28, 2016	Monday, September 26, 2016
Monday, April 11, 2016	Monday, October 10, 2016
Monday, April 25, 2016	Monday, October 24, 2016
Monday, May 9, 2016	Monday, November 14, 2016
Monday, May 23, 2016	**Monday, November 21, 2016
Monday, June 13, 2016	Monday, December 12, 2016
Monday, June 27, 2016	**Monday, December 19, 2016

\*1st Monday of month

\*\*3rd Monday of month

Note: Special meetings will be scheduled when needed.

All meetings will start at 6:30 PM and will be held in the public meeting room of the Upper Saucon Township Municipal Building located at 5500 Camp Meeting Road.

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

Committee Assignments for 2016

Chairman Wagner announced the following committee assignments for 2016:

Planning and Zoning Committee

Stephen Wagner, Chair  
Patrick Leonard

Public Works and Transportation Committee

Patrick Leonard, Chair  
Dennis Benner

Administration and Finance Committee

Philip Spaeth, Chair  
Dennis Benner

Emergency Services Committee

Dennis Benner, Chair  
Brian Farrell

Parks/Recreation and Open Space Committee

Brian Farrell, Chair  
Philip Spaeth

Appointments Review Committee

Stephen Wagner, Chair  
Patrick Leonard

Appointment of Voting Delegate to State Association's Annual Convention

Motion made by Mr. Leonard and seconded by Mr. Benner to appoint Philip Spaeth as the Township's voting delegate to the State Association's annual convention.

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

**SUBDIVISIONS & LAND DEVELOPMENTS**

Liberty Village – Township Engineer's Report on Status of Improvements - Resolution No. 2016-07

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2016-07 accepting the Township Engineer's report on the status of the improvements at the Liberty Village Subdivision and directing the Township Manager to properly notify the developer, Orleans at Upper Saucon, L.P., of the Board's action in this regard.



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

## **MINUTES**

None

## **ORDINANCES**

### **Ordinance No. 62-M – Amendment to Non-Uniformed Employees’ Pension Plan**

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Ordinance No. 62-M amending the Non-Uniformed Employees’ Pension Plan in order to remove the exclusion for benefit accruals after a participant attains age 65 and completes 10 years of vesting service.

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

## **RESOLUTIONS**

### **Resolution No. 2016-05 - Consultant Review Fees To Be Paid By Developers In Connection With The Review And Approval Of Subdivisions And Land Developments**

Motion made by Mr. Leonard and seconded by Mr. Farrell to adopt Resolution No. 2016-05 approving consultant review fees to be paid by developers in connection with the review and approval of land development plans and the inspection, review and approval of public improvements and common amenities contemplated by land development projects pursuant to the Municipalities Planning Code and the Township Subdivision and Land Development Ordinance.

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

### **Resolution No. 2016-06 - Police Pension Plan Amendment**

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2016-06 amending the Upper Saucon Township Police Pension Plan in order to provide a service increment benefit and automatic cost of living adjustment for Pension Plan participants who retire on or after January 1, 2016.

Mr. Beil said this amendment to the Police Pension Plan is needed in order for the Township to fulfill its obligations under the new Collective Bargaining Agreement with the Police Union.

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

## **MOTIONS**

### **Lease of Township-owned Property at 4865 W. Hopewell Road (Curly Horse Open Space)**

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the Lease Agreement with Dennis Trexler which would allow for the growing, cultivation and harvesting of crops

on Township-owned property at 4865 W. Hopewell Road and to authorize the Township Manager to execute said Lease Agreement.

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

Lease of Township-owned Property at 4556 E. Valley Road

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the Lease Agreement with Leroy C. Stahler, Inc., which would allow for the growing, cultivation and harvesting of crops on Township-owned property at 4556 E. Valley Road and to authorize the Township Manager to execute said Lease Agreement.

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

Request For Payment – Bi-State Construction Inc. – Certification No. 1 (Final)

Motion made by Mr. Benner and seconded by Mr. Farrell to authorize final payment in the amount of \$134,870.00 to Bi-State Construction, Inc., for work completed on the Saucon Rail Trail Bridge over Jacoby Road.

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

Proposal from ARRO Consulting to Evaluate the Township's Compliance with Federal and State Storm Water Regulations Relative to the Municipal Separate Storm Sewer System (MS4) Program

Mr. Beil recommended hiring ARRO Consulting to assess the Township's compliance with Federal and State stormwater regulations. He said it was a good time to evaluate the Township's level of compliance because the stormwater regulations have evolved and expanded in recent years. He mentioned ARRO Consulting specializes in assisting municipalities with stormwater compliance issues, and he was unable to find another firm that matched ARRO's qualifications and experience in this area.

Motion made by Mr. Leonard and seconded by Mr. Benner to accept the consulting proposal from ARRO Consulting, Inc. to evaluate the Township's compliance with Federal and State storm water regulations (MS4 Program) at a cost not to exceed \$5,000.

Mark Harman of ARRO Consulting stressed the importance of the Township staying on top of the complex and ever changing regulations.

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

**DIRECTION/DISCUSSION ITEMS**

Possible Cancellation of Board of Supervisors meeting scheduled for January 25, 2016

Mr. Beil did not foresee a need for the Board to meet on January 25, 2016. The Board authorized Chairman Wagner to cancel this meeting if there are no pressing issues for the Board to consider. About a week before the meeting, the Chairman will make a final decision as to whether or not the meeting is needed.

### **COMMITTEE REPORTS**

None

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

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize payment of the Prepaid Invoice List and Warrant List #01042016 dated 12/30/2015.

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

### **ADDITIONAL BUSINESS**

#### **Release of Funds – Traditions of America, Phase 1 – Certification No. 1**

Motion made by Mr. Benner and seconded by Mr. Leonard to authorize the release of construction security in the amount of \$3,118,695.80 for Phase 1 of Traditions of America Age Qualified Community in accordance with the Community Development Director's Memo of January 4, 2016.

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

### **COURTESY OF THE FLOOR**

None

### **EXECUTIVE SESSION**

None

### **ADJOURNMENT**

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

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

The meeting was adjourned at approximately 7:41 p.m.

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Secretary