

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, July 14, 2014 – 6:30 P.M.
Township Municipal Building

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

Staff Attending: Thomas F. Beil, Township Manager
Robert E. Kassel, Jr., Assistant Township Manager
Jeffrey Dimmich, Township Solicitor
Dennis Harman, 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

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

NOTIFICATION

Chairman 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

Chairman Wagner asked those in attendance to refrain from commenting on the Locust Valley Golf Course matter until later in the meeting when the issue comes up for discussion. Chairman Wagner asked if anyone from the public wished to speak on a matter other than the Locust Valley Golf Course. There was no response.

PUBLIC ANNOUNCEMENTS

Chairman Wagner said Summer Concerts will be held at the Township Park on the following dates:

- July 24 at 7 pm – The Ultra Kings
- August 7 at 7 pm – Gesture Without Motion
- August 13 at 7 pm – Lehigh Valley Italian American Band

Chairman Wagner said the order of agenda items was being revised so the Locust Valley Golf Course issue could be discussed first.

Correspondence from Robert Ashford, owner of the Locust Valley Golf Course, expressing his willingness to work with the Township in finding a way to permanently preserve and protect the Locust Valley Golf Course from development

Robert Ashford, owner of the Locust Valley Golf Course, said he would like to sell the development rights of the Golf Course to the Township for 2.2 million dollars. By doing this, the Golf Course would be permanently protected from development. He explained how preserving the Golf Course would benefit the Township and its residents. He said if the Township is not interested in purchasing the development rights, he will be forced to sell the Golf Course to a developer.

Chairman Wagner invited the public to comment on the matter. Public comment is summarized as follows:

Greg Zebrowski, 23 Dewberry Avenue, Bethlehem – Mr. Zebrowski said the investment Mr. Ashford made in the Locust Valley Golf Course is remarkable and the facility is wonderful. He said preserving the Golf Course is in the best interest of the Township. He pointed out this is a great opportunity for a public / private partnership. He hopes the Township will accept Mr. Ashford's proposal because public golf courses of this quality are rare and it would be tragic if the course were developed.

James Trommetter, 6500 Eichler Circle – Mr. Trommetter wanted to know the impact on his property taxes if the Golf Course is rezoned to allow a housing development.

Chairman Wagner said it was important to clarify that the Township has no desire the change the zoning on the Golf Course property. The only question before the Board is whether or not the Township should purchase the development rights.

Mr. Trommetter asked if his taxes will go up or down based on what happens with the Golf Course.

Chairman Wagner said the expenditure of 2.2 million dollars to purchase the development rights would likely result in the Township raising taxes in the near term. If the Township does not buy the development rights, then it will depend on what the current and future owners do with the property. In the long run, Chairman Wagner speculated that taxes would

trend somewhat lower if the Township purchased the development rights, but cautioned it is very difficult to predict.

Solicitor Dimmich said there is no way to determine exactly what effect this will have on taxes.

Jim LaPorta, 5640 Mountain Laurel Drive – Mr. LaPorta wanted the Board to know that he is in complete support of the Township purchasing the development rights.

Gordon Goldberg, Owner of 5575 Locust Valley Road – Mr. Goldberg owns 8.7 acres of land adjacent to the Golf Course. He questioned whether it was in the Township's best interest to purchase the development rights of the Golf Course for 2.2 million dollars.

Bob Wolfenden, 6333 Grouse Circle – Mr. Wolfenden said he is worried about the shrinking number of golf courses in the area. He believes Locust Valley is one of the best courses in the area and getting better all the time. Mr. Wolfenden spoke in support of the Township preserving the Golf Course.

Ken Margraff, Nina Circle, Coopersburg – Mr. Margraff applauded the Board members for their efforts in making the Township a great place to live. He spoke in favor of keeping Locust Valley a golf course.

Timothy Paashaus, Coopersburg Borough – Mr. Paashaus spoke on behalf of Coopersburg Borough, where he serves as Borough Manager. He said Coopersburg Borough supports the Township purchasing the development rights and preserving the Golf Course.

Duane Wetzel, 5100 Locust Valley Road – Mr. Wetzel said he wants the Golf Course to stay as-is. He said the vast majority of neighbors are in favor of preserving the Golf Course. He fears quality of life will go down if a housing development is built on the Golf Course.

Gavin O'Donnell (no address given) - Mr. O'Donnell said he loves the Golf Course and it's a great place to play. He noticed Mr. Ashford put a lot of work into the Golf Course. He would like to play golf in high school, and Locust Valley would be a great home course for his high school team.

Gordon Goldberg, Owner of 5575 Locust Valley Road – Mr. Goldberg said if the Township purchased the development rights, he wanted to know what assurance the Township has that the Golf Course will continue to operate as a golf course in the future.

Mr. Ashford said he is willing to agree that the property would revert back to the Township if it fails as a golf course.

Greg Zebrowski, 23 Dewberry Avenue, Bethlehem – Mr. Zebrowski noted the public overwhelmingly supports the expenditure of public funds to preserve open space and farmland.

Eric Wilson, 5451 Locust Valley Road – Mr. Wilson said he doesn't know what the right answer is. He commented that the best thing for the community would be whatever makes property values rise. He encouraged the Board to reach out to the neighbors to get the flavor of the neighborhood. Mr. Wilson said Mr. Ashford has always been a responsive and responsible neighbor.

Jim LaPorta, 5640 Mountain Laurel Drive – Mr. LaPorta said it is important to remember this has been a golf course for many years and Mr. Ashford will be bringing the course back to where it used to be.

EXECUTIVE SESSION

At approximately 7:30 pm, the Board met in executive session to discuss purchasing the development rights of the Locust Valley Golf Course.

The Board returned from executive session at approximately 8:15 pm.

Motion made by Mr. Leonard and seconded by Mr. DeMatos to authorize the Township Manager and Township Solicitor to continue negotiations with Robert Ashford concerning the possible preservation of the Locust Valley Golf Course.

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

SUBDIVISIONS & LAND DEVELOPMENTS

None

MINUTES

Regular Meeting of May 12, 2014

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the regular meeting of May 12, 2014.

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

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 141-H

Ordinance No. 141-H amends the Upper Saucon Township Zoning Ordinance by adding definitions relating to individual lot grading plans, deleting certain performance standards and amending requirements for certificates of compliance with individual lot grading plans.

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

Solicitor Dimmich summarized the proposed Ordinance and introduced the following Exhibits into the record:

- Exhibit T-1 – Complete copy of Ordinance No 141-H
- Exhibit T-2 – Letter from Thomas Dinkelacker, Township Solicitor, transmitting proposed Ordinance No. 141-H to the Upper Saucon Township Planning Commission
- Exhibit T-3 – Letter from Thomas Dinkelacker, Township Solicitor, transmitting proposed Ordinance No. 141-H 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 No. 141-H which ran in *The Morning Call* newspaper on June 26, 2014 and July 3, 2014
- Exhibit T-7 – Copy of actual public notice printed in *The Morning Call* newspaper on June 26, 2014 and July 3, 2014

The Exhibits will become part of the official record of the hearing and are 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.

ORDINANCES (for possible adoption)

Proposed Ordinance No. 141-H

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt proposed Ordinance No. 141-H which amends the Zoning Ordinance by adding definitions relating to individual lot grading plans, deleting certain performance standards and amending requirements for certificates of compliance with individual lot grading plans.

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

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

Ordinance No. 67-QQ – Speed Limit on Flint Hill Road between Walnut Lane and Taylor Drive

Motion made by Mr. DeMatos and seconded by Mr. Benner to adopt proposed Ordinance No. 67-QQ establishing a 35 mph speed limit on Flint Hill Road between Walnut Lane and Taylor Drive.

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

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

RESOLUTIONS

Resolution No. 2014-23 – Application To Revise Existing Traffic Signal At the Intersection of Center Valley Parkway (SR2044) and West Saucon Valley Circle

Motion made by Mr. Leonard and seconded by Mr. DeMatos to adopt Resolution No. 2014-23 authorizing the Township Manager to submit all necessary documentation to PennDOT in order to secure the required approvals to revise the existing traffic signal at the intersection of Center Valley Parkway and West Saucon Valley Circle.

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

MOTIONS

Request For Payment – RGC Development LLC – Certification No. 2

Motion made by Mr. Benner and seconded by Mr. Leonard to authorize payment in the amount of \$18,836.80 to RGC Development LLC for relocation of a sanitary sewer line along Bowood Street.

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

Request For Payment – MGK Industries, Inc. – Certification No. 2

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize payment in the amount of \$67,271.90 to MGK Industries, Inc., for work completed on the clarifier weirs and launders at the Wastewater Treatment Plant.

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

Request For Payment – James D. Morrissey, Inc. – Certification No. 9

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize payment in the amount of \$442,534.23 to James D. Morrissey, Inc., for work completed on the Taylor Drive Roadway Rehabilitation Project.

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

Request For Payment – Mid-State Utility Contractors, Inc. – Certification No. 8

Motion made by Mr. DeMatos and seconded by Mr. Leonard to authorize payment in the amount of \$98,614.89 to Mid-State Utility Contractors, Inc., for work completed on the Gun Club water supply well.

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

Architectural Design Services for Municipal Building Roof Replacement Project

Motion made by Mr. Leonard and seconded by Mr. Benner to accept the proposal submitted by Barry Isett and Associates, Inc., for architectural design services related to the Municipal Building Roof Replacement Project.

Mr. Benner said the Public Works Committee supports moving forward with the project and recommends accepting the proposal submitted by Barry Isett and Associates, Inc.

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

Award Bid – Station Avenue Improvements

Motion made by Mr. DeMatos and seconded by Mr. Leonard to award the bid for the Station Avenue Improvements Project to James D. Morrissey, Inc., for a total bid price of \$403,345.86.

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

Award Bid – Saucon Rail Trail, Phase 3

Motion made by Mr. Benner and seconded by Mr. Leonard to award the bid for Phase 3 of the Saucon Rail Trail (section through Township Park) to Semmel Excavating, Inc., for a total bid price of \$64,642.00.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

Cancellation of Board of Supervisors meeting scheduled for July 28, 2014 due to lack of agenda items

It was the consensus of the Board to cancel the meeting scheduled for July 28, 2014.

COMMITTEE REPORTS

Public Works Committee Meeting of June 19, 2014 – Supervisor Benner

The Municipal Building Roof Replacement Project was the only item on the agenda, and Mr. Benner reported on this matter earlier in the meeting.

Planning/Zoning Committee Meeting of July 8, 2014 – Supervisor Wagner

Mr. Wagner reported on the following:

- The Committee reviewed a proposed zoning ordinance amendment relaxing the Township's tree cutting requirements. The Township Solicitor will present the proposed ordinance to the full Board at a future meeting.

- The Committee discussed Mr. Ashford's offer to sell the development rights of the Locust Valley Golf Course to the Township for 2.2 million dollars. The Committee determined the full Board needs to be involved in deciding this matter.

BILLS, PAYROLL, AND COMMISSIONS

Motion made and seconded to authorize payment of the Warrant List and Prepaid Invoice List #07142014 dated July 11, 2014.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

At approximately 8:54 pm, the Board met in executive session to review applications for the Director of Community Development position.

The Board returned from executive session at approximately 9:15 pm.

ADJOURNMENT

Motion made and seconded to adjourn the meeting.

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

The meeting was adjourned at approximately 9:15 p.m.

Secretary