

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, July 27, 2015 – 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
Thomas Dinkelacker, Township Solicitor
Kevin Chimics, 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

None

PUBLIC ANNOUNCEMENTS

Mr. Wagner announced there are three remaining concerts in the Summer Concert Series at the Township Park: Danielle Miraglia on August 6, Dave Fry on August 13 and Christine Havrilla on August 27. The concerts start at 7:00 p.m.

ADMINISTER OATH OF OFFICE TO NEWLY- HIRED POLICE OFFICERS

Chairman Wagner administered the oath of office to newly-hired police officers Daniel Bencsics and Kyle Williamson.

Chief Coyle mentioned these two fine officers were selected from a field of fifty applicants.

SUBDIVISIONS & LAND DEVELOPMENTS

None

MINUTES

None

ORDINANCES

None

RESOLUTIONS

None

MOTIONS

Designate Date and Time For Upper Saucon Township Trick Or Treat

Motion made by Mr. Benner and seconded by Mr. Leonard to designate Friday, October 30, 2015 from 6:00 pm to 8:00 pm as Upper Saucon Township Trick or Treat with a rain date of Saturday, October 31, 2015 from 6:00 pm to 8:00 pm.

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

Exoneration of Delinquent Taxes – 2946 Fern Lane

Motion made by Mr. Leonard and seconded by Mr. Benner to exonerate the Lehigh County Tax Claim Bureau from collecting delinquent 2013 Township Real Estate taxes on the property at 2946 Fern Lane (Property Identification No. 641527078199 1) pursuant to correspondence dated July 13, 2015 from Northeast Revenue Services, agent for Lehigh County Tax Claim Bureau.

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

Award Bid – Rehabilitation of the Saucon Rail Trail Bridge over Jacoby Road

Motion made by Mr. DeMatos and seconded by Mr. Benner to award the bid for the rehabilitation of the Saucon Rail Trail Bridge over Jacoby Road to Bi-State Construction, Inc., for a total bid price of \$117,625.00.

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

Reject Lone Bid Received for the 2015 Street Maintenance Project

Motion made by Mr. Leonard and seconded by Mr. Benner to reject the lone bid received for the 2015 Street Maintenance Project due to the bidder's inability to complete the project within the time period specified in the bid documents.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

Review Agenda for Zoning Hearing Board meeting on August 3, 2015

The Board reviewed the two appeals on the docket for the August 3, 2015 Zoning Hearing Board meeting. It was determined that both appeals involve routine matters that can be handled by the Zoning Hearing Board without input from the Board of Supervisors.

Cancellation of Board of Supervisors meeting scheduled for August 10, 2015 due to lack of agenda items

It was the consensus of the Board to cancel the meeting scheduled for August 10, 2015.

Support for legislation that would allow the Township to levy an amusement tax on admissions to movie theaters

Solicitor Dimmich said the current law does not allow the Township or any other municipality in the State except for the City of Pittsburgh to tax admissions to movie theaters. A lengthy discussion ensued as to whether or not the Board should support legislation that would allow all municipalities in the State to tax admissions to movie theaters. It was the consensus of the Board to authorize the Township Manager to send a letter to the Pennsylvania State Association of Township Supervisors asking them to support legislation that would allow any municipality in the State to levy an amusement tax on admissions to movie theaters.

Procedure for hiring new Community Development Director

Mr. Beil said the current Community Development Director unexpectedly resigned and he would like to move forward with hiring a replacement. The Board authorized the Township Manager to run an ad in area newspapers and trade publications soliciting resumes from persons interested in the position.

A discussion ensued concerning the best approach for filling the position. It was the consensus of the Board to form an informal committee consisting of Supervisor Leonard, the Township Manager and the Assistant Township Manager. The committee will conduct the first round of interviews and recommend one or two candidates for the full Board to

interview. The Board will ultimately decide who should be hired after considering the recommendations of the informal committee.

Results of most recent Compliance Audits for Non-uniformed Employees Pension Plan and Police Pension Plan

Mr. Beil reviewed the results of the most recent Compliance Audits for the Non-uniformed Employees Pension Plan and the Police Pension Plan. The Compliance Audit for the Police Pension Plan contains a finding that certain pension benefit provisions contained in the Police collective bargaining agreement are inconsistent with Act 600. Mr. Beil said this audit finding will be addressed during contract negotiations with the Police Union.

Proposed Ordinance No. 141-J allowing transitional care facilities in Enterprise, Commercial and Industrial zoning districts

Mr. Beil reviewed proposed Ordinance No. 141-J which would amend the Zoning Ordinance by adding a definition for “transitional care facility” and authorizing such facilities in the Enterprise, Commercial and Industrial zoning districts as a use permitted by right.

The Board had a favorable reaction to the proposed ordinance.

Attorney Joseph Fitzpatrick was present on behalf of his client, Mainstreet Development. Mainstreet Development is interested in building a transitional care facility along the south side of Center Valley Parkway on the former Center Valley Golf Course property. Attorney Fitzpatrick spoke in favor of the proposed ordinance.

Mr. Benner was concerned the reference to “four weeks” in the definition of “transitional care facility” might be too vague. Solicitor Dinkelacker replied the reference to “four weeks” could easily be removed from the draft ordinance.

Mr. Spaeth noted nursing homes and assisted living facilities are not currently allowed in the Industrial and Enterprise zoning districts while the proposed ordinance would allow transitional care facilities in these districts. He suggested giving consideration to allowing nursing homes and assisted living facilities in the Industrial and Enterprise zoning districts. He pointed out that nursing homes, assisted living facilities and transitional care facilities are all very similar uses and for the sake of consistency it made sense to allow all three uses in the Industrial and Enterprise zoning districts.

The issue of whether nursing homes and assisted living facilities should be allowed in the Industrial and Enterprise zoning districts was referred to the Planning and Zoning Committee for further review.

Motion made by Mr. Leonard and seconded by Mr. Wagner to pursue the following course of action with respect to proposed Ordinance No. 141-J:

- Authorize the Township Solicitor to revise Section 2.1 of the proposed ordinance by removing the reference to “4 weeks” in the definition of transitional care facility.
- Authorize the Township Manager to advertise the revised ordinance so final adoption can be considered at the September 28, 2015 Board of Supervisors meeting.

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

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 #07272015 dated 07/24/2015.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

Matt Szuchyt, Local Government Liaison for Senator Pat Browne, offered to assist the Township with any issues involving the State.

Mr. Wagner would like to see movement in funding the proposed grade separated interchange at the intersection of Center Valley Parkway and Route 309. Mr. Szuchyt said this matter is on the Senator's radar as a priority. Mr. Wagner also asked about funding for planned intersection improvements at Route 309 and Camp Meeting Road. Mr. Szuchyt will check into this and follow up with the Board.

EXECUTIVE SESSION

At 7:30 p.m., the Board met in executive session to discuss the possible acquisition of property by the Township.

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

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 8:16 p.m.

Secretary