

MINUTES

Upper Saucon Township Board of Supervisors
Reorganization Meeting
Tuesday, January 3, 2017 – 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
Thomas Anewalt, 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 Anewalt conduct the election for the position of Chairman of the Board of Supervisors.

Solicitor Anewalt 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 Anewalt called for the vote.

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

Appoint Township Secretary

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

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

Appoint Assistant Township Secretary

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

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

Appoint Assistant Township Treasurer

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

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

PUBLIC COMMENT

None

PUBLIC ANNOUNCEMENTS

Mr. Wagner made the following announcements:

- There is currently a vacancy for an Alternate on the Zoning Hearing Board. If any resident is interested in volunteering, please refer to the Township website for more information on how to apply.
- There will be a Live Telephone Town Hall on January 10, 2017, at 6:30 p.m. to discuss heroin and opioid abuse in the Commonwealth. During this event, you can speak with a panel of experts as they discuss the heroin and opioid epidemic facing the State. This 90-minute event is designed to give residents the opportunity to share their stories and ask questions about the current epidemic. For more information and to register, please visit: www.acommonwealthcrisis.com
- The Pennsylvania Department of Environmental Protection (DEP) is again urging area residents to test their homes for radon. This colorless, odorless gas is a leading cause of lung cancer among non-smokers. Test kits may be obtained easily at any local hardware store. The DEP's action level for remediation is any test result over 4.0.

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 2017 at \$2,000,000.00.

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

Establish Assistant Treasurer's Bond

Motion made by Mr. Leonard and seconded by Mr. Benner to establish the Assistant Treasurer's Bond for the year 2017 at \$2,000,000.00.

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

Depositories for Township Funds – Resolution Nos. 2017-01 and 2017-02

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution Nos. 2017-01 and 2017-02 approving QNB Bank and BB&T Bank as depositories for Township Funds for the year 2017.

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

Reappointment of Township Solicitor

Motion made by Mr. Benner and seconded by Mr. Leonard to reappoint the law firm of Dimmich, Dinkelacker and Anewalt, P.C., as Township Solicitor and to compensate the Township Solicitor for services rendered in accordance with the fee agreement between Dimmich, Dinkelacker and Anewalt, P.C., and the Board of Supervisors effective January 1, 2016.

The motion was approved by a vote of 5 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 2017 Professional Fee Schedule included with Mr. Unangst's letter of December 14, 2016.

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

Reappointment of Township Conflict Engineer

Motion made by Mr. Leonard and seconded by Mr. Farrell 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, 2017, as provided by C. Robert Wynn Associates, Inc.

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

Reappointment of Sewage Enforcement Officers

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Jacob A. Schray (SEO #03134), Christopher A. Taylor (SEO #03138) and Gregory C. Gray (SEO #03945) 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.

Reappointment of Township Engineer for Municipal Sanitary Sewer Matters

Motion made by Mr. Leonard and seconded by Mr. Benner 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, 2017, as provided by Schreiter Engineering Associates, Inc.

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

Reappointment of Geotechnical Consultant

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Leidos Engineering, LLC, as the Township Geotechnical Consultant and to compensate the Township Geotechnical Consultant for services rendered in accordance with the 2017 Geotechnical Services Rate Schedule included with Kent Littlefield's letter of December 6, 2016.

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

Reappointment of Auditor – Resolution No. 2017-03

Motion made by Mr. Farrell and seconded by Mr. Benner to adopt Resolution No. 2017-03 reappointing the accounting firm of Reinsel Kuntz Leshner, LLP to perform the 2016 annual financial audit of Township accounts.

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

Reappointment of Municipal Code Official and Primary Building Code Official

Motion made by Mr. Leonard and seconded by Mr. Benner 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 5 to 0.

Appointments/Reappointments to Boards and Commissions

Vacancy Board

Motion made by Mr. Leonard and seconded by Mr. Farrell to reappoint Richard M. Nelson to the Upper Saucon Township Vacancy Board for a one year term expiring on December 31, 2017.

The motion was approved by a vote of 5 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 2017 calendar year.

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

Non-Uniformed Employees' Pension Committee

Motion made by Mr. Benner and seconded by Mr. Farrell to appoint Thomas E. Young, Robert Tierney and Philip Spaeth to the Upper Saucon Township Non-Uniformed Employees' Pension Committee for the 2017 calendar year.

The motion was approved by a vote of 5 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 2017.

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

Municipal Authority/Sewage Treatment Authority

Motion made by Mr. Leonard and seconded by Mr. Benner to appoint Ryan Holmes to the Municipal Authority and Sewage Treatment Authority for a five year term expiring on December 31, 2021.

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

Zoning Hearing Board

Motion made by Mr. Benner and seconded by Mr. Leonard to adopt Resolution No. 2017-04 reappointing Michael DePaolis to the Upper Saucon Township Zoning Hearing Board for a three year term expiring on December 31, 2019.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Benner and seconded by Mr. Farrell to reappoint Robert A. Bosak to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2017.

The motion was approved by a vote of 5 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, 2017.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Leonard 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, 2017.

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

Planning Commission

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Gerard J. Anthony to the Planning Commission for a four year term expiring on December 31, 2020.

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

Planning Commission

Motion made by Mr. Benner and seconded by Mr. Farrell to reappoint Bryan Macfarlane to the Planning Commission for a four year term expiring on December 31, 2020.

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

Planning Commission

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Roderick Chirumbolo to the Planning Commission for a four year term expiring on December 31, 2020.

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

Reappointment to Zoning Hearing Board (Alternate)

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Walter Gallagher as an Alternate Member of the Upper Saucon Township Zoning Hearing Board for a three year term expiring on December 31, 2019.

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

Reappointment to Zoning Hearing Board (Alternate)

Motion made by Mr. Leonard and seconded by Mr. Benner to reappoint Terrence C. Grube as an Alternate Member of the Upper Saucon Township Zoning Hearing Board for a three year term expiring on December 31, 2019.

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

Establish 2017 Regular Meeting Schedule

Motion Mr. Leonard and by Mr. Benner to approve the Board's regular meeting schedule for 2017 as indicated below:

Board of Supervisors
2017 Regular Meeting Schedule

*Tuesday, January 3, 2017 (Reorg.)	Monday, July 10, 2017
Monday, January 23, 2017	Monday, July 24, 2017
Monday, February 13, 2017	Monday, August 14, 2017
Monday, February 27, 2017	Monday, August 28, 2017
Monday, March 13, 2017	Monday, September 11, 2017
Monday, March 27, 2017	Monday, September 25, 2017
Monday, April 10, 2017	Monday, October 9, 2017
Monday, April 24, 2017	Monday, October 23, 2017
Monday, May 8, 2017	Monday, November 13, 2017
Monday, May 22, 2017	**Monday, November 20, 2017
Monday, June 12, 2017	Monday, December 11, 2017
Monday, June 26, 2017	**Monday, December 18, 2017

*1st Tuesday 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 5 to 0.

Committee Assignments for 2017

Chairman Wagner announced the following committee assignments for 2017:

Planning and Zoning Committee

Patrick Leonard, Chair

Stephen Wagner

Public Works and Transportation Committee

Dennis Benner, Chair

Brian Farrell

Administration and Finance Committee

Philip Spaeth, Chair

Dennis Benner

Emergency Services Committee

Dennis Benner, Chair
Patrick Leonard

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. Benner and seconded by Mr. Leonard 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 5 to 0.

SUBDIVISIONS & LAND DEVELOPMENTS

None

MINUTES

Regular Meeting of November 14, 2016

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the regular meeting of November 14 2016.

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

Regular Meeting of November 21, 2016

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the regular meeting of November 21, 2016.

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

Regular Meeting of December 19, 2016

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the regular meeting of December 19, 2016.

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

ORDINANCES

None

RESOLUTIONS

Resolution No. 2017-05 – Comprehensive Fee Schedule for Community Development Department

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2017-05 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 5 to 0.

Resolution No. 2017-06 - 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. Benner to adopt Resolution No. 2017-06 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 5 to 0.

Resolution No. 2017-07 – Police Pension Plan Contribution

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2017-07 requiring participants of the Police Pension Plan to make a mandatory contribution to the police pension fund for the year 2017.

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

Resolution No. 2017-08 – Non-Uniformed Employees' Pension Plan Contribution

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2017-08 requiring participants of the Non-Uniformed Employees' Pension Plan to make a mandatory contribution to the non-uniformed employees' pension fund for the year 2017.

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

MOTIONS

Release of Funds – Mountain Glen Subdivision – Certification No. 2A

Motion made by Mr. Benner and seconded by Mr. Leonard to authorize the release of construction security in the amount of \$24,274.50 for the Mountain Glen subdivision in accordance with the Community Development Director's memo dated December 27, 2016.

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

Release of Funds – DeSales University Gambet Center – Certification No. 2

Motion made by Mr. Benner and seconded by Mr. Leonard to authorize the release of construction security in the amount of \$201,469.60 for the DeSales University Gambet Center project in accordance with The Pidcock Company's recommendation made by letter dated December 22, 2016.

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

Release of Funds – DeSales University Upper Classmen Village, Phase 1 – Certification No. 1

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize the release of construction security in the amount of \$307,366.32 for Phase 1 of the DeSales University Upper Classmen Village project in accordance with The Pidcock Company's recommendation made by letter dated December 22, 2016.

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

Release of Funds – DeSales University Drive Realignment – Certification No. 1

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize the release of construction security in the amount of \$549,553.57 for the DeSales University Drive Realignment project in accordance with The Pidcock Company's recommendation made by letter dated December 22, 2016.

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

CORRESPONDENCE & INFORMATION ITEMS

Memo Dated November 21, 2016 From Thomas Young, Director of Finance – 2017 Revised Minimum Municipal Obligation for Township Pension Plans and Firefighters Length of Service Awards Program (LOSAP)

Mr. Beil reviewed the memo dated November 21, 2016 from Thomas Young, Director of Finance, concerning the 2017 Revised Minimum Municipal Obligation for the Township Pension Plans and the Firefighter 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

Request to create a new Age Qualified Community Overlay Zone on approximately 15 acres of land located at 4373 Route 378

Mr. Beil introduced this agenda item and provided background information regarding the property at 4373 Route 378.

Attorney Lisa Pereira and Carlos Tavares were present on behalf of Old Saucon Investment, L.P.

Attorney Pereira said her client, Old Saucon Investment, owns a 65 acre property at 4373 Route 378. 50 acres of this property is zoned for age qualified housing and the remaining 15 acres is zoned for village commercial uses. On behalf of her client, she asked the Board to consider changing the zoning designation on this property so the entire 65 acres could be developed as age qualified housing. She said the 15 acres zoned for village commercial uses cannot practically be developed given the current state of the commercial real estate market.

A discussion ensued concerning the merits of the requested zoning change.

It was the consensus of the Board to refer the requested zoning change to the Planning and Zoning Committee for further review. The Committee was instructed to meet with representatives of Old Saucon Investment and report back to the full Board with a recommendation on this matter.

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 #01032017 dated 12/30/2016.

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

ADDITIONAL BUSINESS

Mr. Spaeth noted the State enacted new legislation concerning medical marijuana. He wanted to know how the new legislation applied to the Township and whether the Township will need to amend its zoning ordinance to accommodate medical marijuana facilities. He said the Lehigh Valley Planning Commission has developed model zoning regulations concerning medical marijuana facilities and they are encouraging municipalities to adopt the model regulations. Patricia Lang, Director of Community Development, responded that the Township staff is looking into this issue and should have more information for the Board in the near future.

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

None

ADJOURNMENT

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

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

The meeting was adjourned at approximately 8:17 p.m.

Secretary

