

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, January 23, 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 Dinkelacker, Township Solicitor
Kevin Chimics, P.E., Township Engineer
Patricia Lang, Director of Community Development

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 made the following announcements:

- The Sustainable Community Park Study Committee invites the public to attend a visioning meeting on Wednesday, January 25, at 6:30 p.m. at the Southern Lehigh

Public Library. The purpose of the meeting is to give the public an opportunity to provide input on proposed sustainable community parks in the Township.

- The Environmental Advisory Council is sponsoring several Backyard Natural Habitat programs:
 - “Planning and Designing Your Garden” on Monday, January 23 at 7:00 p.m. at the Southern Lehigh Public Library.
 - “Get Growing – Preparing Your Garden and Starting Seeds” on Monday, February 20 at 7:00 p.m. at the Southern Lehigh Public Library.
- 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.

SUBDIVISIONS & LAND DEVELOPMENTS

DeSales University – Upper Classmen Village – Phase 2 – Final Land Development Plan - Resolution No. 2017-09

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2017-09 conditionally approving the Phase 2 Final Land Development Plan of DeSales University to construct two student housing buildings on the campus of DeSales University.

Attorney Erich Schock and Marc Albanese, Director of Campus Environment, were present on behalf of DeSales University.

Attorney Schock indicated the conditions of approval set forth in Resolution No. 2017-09 were acceptable as drafted.

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

MINUTES

Reorganization Meeting of January 3, 2017

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the reorganization meeting of January 3, 2017.

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

PRESENTATION BY KAY BUILDERS – PROPOSAL FOR MIXED USE WALKABLE DEVELOPMENT

The following individuals were present on behalf of Kay Builders:

- Rick Koze, Owner / President of Kay Builders
- Attorney James Preston, Broughal & DeVito
- Tom Comitta, Planning Consultant
- Fred Jackson, Planning Consultant
- Richard Brooks, Development Consultant
- Scott McMackin, P.E., Cowan Associates
- Matt Chartrand, P.E., Bohler Engineering

Attorney Preston said Tom Comitta would make a brief presentation and at the end of the presentation he would like the Board to consider moving the proposed project forward by authorizing the Township staff to work with the developer's consultants in preparing the necessary zoning ordinance amendment.

Tom Comitta gave a PowerPoint presentation on a mixed use, walkable development proposed on 120 acres of land located along the east side of Route 309 immediately north of Pitt Ohio Trucking. The concept is to create a "Residential Promenade" which would be based on Smart Growth principles. The development would be constructed in several phases over the next fifteen to eighteen years. The concept plan calls for a mix of single-family homes, townhomes, condominiums, apartments and retail space. The developer is offering to donate ninety acres of land at their Landis Mill site to the Township for park use.

Mr. Comitta explained the subject property is currently zoned Industrial with an AQC overlay. The developer is requesting a zoning change in order to build the proposed mixed use development.

Mr. Comitta provided an overview of the various value added features and benefits of the proposed development.

The Board viewed a computer-generated video of what the development might look like from the perspective of someone driving down the main boulevard. The video showcased the various architectural and design elements that would be hallmarks of the development.

Messrs. Preston, Koze, Jackson and Comitta responded to questions from Board members.

Mr. Leonard expressed concern that the existing utility infrastructure and the current level of municipal services might not be adequate to accommodate a development of this magnitude.

Mr. Wagner expressed concern with the number of apartment units being proposed. Mr. Koze said these will be luxury apartments with high-quality tenants.

Mr. Farrell said he is concerned with the urbanization and overdevelopment of the Township. He grew up in New Jersey and he doesn't want Upper Saucon Township to turn into central New Jersey. He shared Mr. Leonard's concerns as to whether the existing utility infrastructure and current level of municipal services can accommodate this development.

Mr. Koze discussed a possible construction phasing plan for the proposed development.

Mr. Benner said he was generally in favor of the proposal, emphasizing that the focus should be on design rather than density. He suggested that adding more rooftops might be good for some of the commercial establishments in the Township.

Attorney Preston asked the Board to move this matter forward by authorizing the Township staff to work with the developer's consultants in drafting a zoning ordinance amendment that would accommodate the proposed development.

After a lengthy discussion, it was the consensus of the Board that the Township staff should engage in discussions with the developer for the purpose of writing a zoning amendment that would generally accommodate the proposed development. The Planning and Zoning Committee will provide oversight of this process with involvement of the full Board on an as needed basis. Also, it was suggested that the Chairwoman of the Township Planning Commission be invited to attend all meetings of the Planning and Zoning Committee when this matter will be discussed.

ORDINANCES

None

RESOLUTIONS

Resolution No. 2017-10 - Setting the Compensation for the Local Tax Collector

Motion made by Mr. Benner and seconded by Mr. Leonard to adopt Resolution No. 2017-10 increasing the Tax Collector's rate of compensation from \$3.00 per tax bill to \$3.25 per tax bill beginning January 1, 2018.

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

Resolution No. 2017-11 - Establishing Fees for Services Rendered by the Local Tax Collector

Mr. Beil summarized proposed Resolution No. 2017-11. He said the Tax Collector requested the proposed Resolution be revised to increase the fee for duplicate tax bills. It was the consensus of the Board to revise the proposed Resolution by increasing the fee charged for duplicate tax bills from \$2.00 per parcel to \$3.00 per parcel.

Motion made by Mr. Leonard and seconded by Mr. Farrell to adopt revised Resolution No. 2017-11 establishing reasonable regulations and fees for services rendered by the Tax Collector. It was noted that the revised Resolution, if adopted by the Board, would set the fee for duplicate tax bills at \$3.00 per parcel.

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

MOTIONS

Appointment to Environmental Advisory Council

Motion made by Mr. Leonard and seconded by Mr. Benner to appoint Gerard Anthony to the Environmental Advisory Council for a three year term expiring December 31, 2019.

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

Encroachment Agreement – Eric and Kristen Wismer – 3340 Courtney Drive

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the Encroachment Agreement with Eric and Kristen Wismer which would allow the Wismers to install a fence within an existing drainage easement on the property at 3340 Courtney Drive, and to authorize the Township Manager to execute said Agreement on behalf of the Township.

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

Authorize Sale of Used Township Vehicles

Motion made by Mr. Leonard and seconded by Mr. Benner to designate the following three (3) Township-owned vehicles as surplus property to be disposed of through an on-line auction conducted by Municibid consistent with the procedures set forth in the Second Class Township Code.

- 2013 Ford Utility Police Interceptor with approx. 86,522 miles (VIN#1FM5K8AR0DGC21005)
- 2010 Ford Crown Victoria Police Interceptor with approx. 93,236 miles (VIN#2FABP7BV4AX100374)
- 1994 John Deere 6200 Boom Mower with approx. 5,492 hours (VIN#L06200H119050)

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

Release of Funds – DeSales University Athletic Fields – Certification No. 2A

Motion made by Mr. Leonard and seconded by Mr. Benner to authorize the release of construction security in the amount of \$316,377.14 for the DeSales University Athletic Fields project in accordance with the Township Engineer's recommendation made by letter dated January 13, 2017.

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

Release of Funds – High Hotel Project (Stabler Center Lot 10) – Certification No. 1

Motion made by Mr. Benner and seconded by Mr. Farrell to authorize the release of construction security in the amount of \$443,536.00 for the High Hotel project in accordance with the Township Engineer's recommendation made by letter dated January 13, 2017.

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

Cost of Living Increase for Retired Police Officers

Motion made by Mr. Leonard and seconded by Mr. Benner to approve a 0.3% cost of living increase for eligible retired police officers retro-active to January 1, 2017 in accordance with the letter dated December 19, 2016 from David Killick of Conrad Siegel Actuaries.

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 February 6, 2017

Mr. Beil reviewed the only appeal on the docket for the February 6, 2017 Zoning Hearing Board meeting. It was determined this appeal involves a routine matter that can be handled by the Zoning Hearing Board without input from the Board of Supervisors.

Dissolve Township Park & Recreation Commission

The Board discussed some of the problems and issues with the Park and Recreation Commission. It was the consensus of the Board that staff should prepare a resolution dissolving the Park and Recreation Commission for consideration and possible action at a future Board meeting. The Board directed Mr. Beil to notify the Park and Recreation Commission of the meeting when the resolution will be considered.

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 #01232017 dated 01/20/2017.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

None

ADJOURNMENT

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

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

The meeting was adjourned at approximately 8:52 p.m.

Secretary

