

## MINUTES

Upper Saucon Township Board of Supervisors  
Regular Meeting  
Monday, June 12, 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  
Jeffrey Dimmich, Township Solicitor  
Charles Unangst, 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**

Victor Vardaro, 6087 Main Street – Mr. Vardaro spoke in support of constructing a new Route 309 northbound bypass between Route 378 and Camp Meeting Road that would be located immediately next to existing Route 309 southbound. The existing Route 309 northbound that runs through the heart of Center Valley then could be returned to a low volume residential street as it was originally intended. He asked the Board to promote this idea to the Lehigh Valley Planning Commission and other political decision makers in the hopes of getting something done. In further support of his position, Mr. Vardaro presented the Board with a petition signed by sixteen residents.

Mr. Vardaro was in favor of reducing the speed limit on Route 309 northbound between Route 378 and Camp Meeting Road from 40 mph to 35 mph. He also mentioned that enhanced conspicuity of the speed limit signs along this stretch of highway is needed.

Mr. Vardaro asked the Board to consider extending the engine brake retarder restriction to include the stretch of Route 309 northbound located immediately south of Route 378.

### **PUBLIC ANNOUNCEMENTS**

None

### **PRESENTATION BY DIANE MATTHEWS-GEHRINGER AND DONNA WRIGHT OF LEHIGH COUNTY FARMLAND PRESERVATION BUREAU – NEW MUNICIPAL PARTNERSHIP OPPORTUNITIES TO SUPPORT FARMLAND PRESERVATION**

Diane Matthews-Gehringer and Donna Wright of the Lehigh County Farmland Preservation Bureau gave a presentation on the various farmland preservation programs and partnership opportunities available to municipalities in Lehigh County.

### **SUBDIVISIONS & LAND DEVELOPMENTS**

#### **Schweitzer/Thom Lot Line Adjustment – Resolution No. 2017-25**

Motion made by Mr. Leonard and seconded by Mr. Benner to approve Resolution No. 2017-25 conditionally approving the preliminary/final lot line adjustment plan of Patricia A. Thom and Kathleen A. Schweitzer and Michael P. and Patricia A. Thom to adjust the lot line between the properties at 5496 Applebutter Hill Road and 5584 Applebutter Hill Road.

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

#### **Copperhead Grille Patio & Parking Expansion - Preliminary/Final Land Development Plan – Resolution No. 2017-26**

Motion made by Mr. Leonard and seconded by Mr. Benner to approve Resolution No. 2017-26 conditionally approving the preliminary/final land development plan of Mihalis LLC to expand the existing Copperhead Grille through the construction of an outdoor seating area and additional parking facilities on 2.26 acres located at 5473 Route 378 and 5706 Old Bethlehem Pike.

Attorney Kate Durso of Fitzpatrick Lentz and Bubba and Jeffrey Ott, P.E., of Ott Consulting were present on behalf of the developer, Mihalis LLC. Attorney Durso gave a brief overview of the proposed project, and Mr. Ott responded to questions from Board members.

Victor Vardaro of 6087 Main Street wanted to know how stormwater would be handled. Mr. Ott indicated the plans call for an underground infiltration bed underneath the new parking lot.

Mr. Vardaro inquired about a dangerous ditch on PennDOT's property at the southeast corner of Old Bethlehem Pike and Preston Lane. Attorney Durso indicated the ditch is not part of her client's project.

Mr. Beil said he would make PennDOT aware of the dangerous ditch and ask them to address the situation.

John Zelena, 5650 Old Bethlehem Pike - Mr. Zelena wanted to know the results of the recent zoning hearing regarding the Copperhead Grille property. Attorney Durso explained the Zoning Hearing Board granted all of the requested relief.

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

### **MINUTES**

#### Regular Meeting of March 13, 2017

Motion made by Mr. Leonard and seconded by Mr. Benner to approve the minutes of the regular meeting of March 13, 2017.

The motion was approved by a vote of 4 to 0 with 1 abstention. Chairman Wagner abstained from voting because he was not present at the meeting on March 13, 2017.

#### Regular Meeting of March 27, 2017

Motion made by Mr. Benner and seconded by Mr. Farrell to approve the minutes of the regular meeting of March 27, 2017.

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

### **ORDINANCES**

#### Proposed Ordinance No. 67-UU – Establishing 25 mph Speed Limit on Streets in Afton Village Development

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt proposed Ordinance No. 67-UU establishing a 25 mph speed limit on Bowood Street (between Spring Drive and W. Hopewell Road), Calvert Street, Calvert Place, Darby Street, Glasgow Street, Keene Street and Aberdene Street (between Spring Drive and W. Hopewell Road).

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

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



## **RESOLUTIONS**

### Resolution No. 2017-23 – Appointment of Special Fire Police

Motion made by Mr. Leonard and seconded by Mr. Benner to adopt Resolution No. 2017-23 appointing various individuals to serve as Special Fire Police for Upper Saucon Township.

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

Mr. Wagner extended a thank you to all the Fire Department and Special Fire Police volunteers for their hard work and dedication to the Township.

## **MOTIONS**

### Release of Funds – Blue Ridge Chase Subdivision – Certification No. 1

Motion made by Mr. Benner and seconded by Mr. Farrell to authorize the release of construction security in the amount of \$105,146.25 for the Blue Ridge Chase Subdivision in accordance with the Township Engineer's recommendation made by letter dated May 16, 2017.

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

### Release of Funds – Traditions of America – Phase 3 – Certification No. S-1

Motion made by Mr. Benner and seconded by Mr. Farrell to authorize the release of construction security in the amount of \$246,099.05 for Phase 3 of the Traditions of America development in accordance with the Township Sewer Engineer's recommendation made by letter dated June 7, 2017.

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

## **CORRESPONDENCE & INFORMATION ITEMS**

None

## **DIRECTION/DISCUSSION ITEMS**

### Reduce speed limit from 40 mph to 35 mph on Route 309 Northbound between Route 378 and Camp Meeting Road

The Board discussed reducing the speed limit from 40 mph to 35 mph on a section of Route 309 northbound between Route 378 and Camp Meeting Road.

Victor Vardaro of 6087 Main Street said on average there is one accident every two or three months on the stretch of Route 309 in front of his house. He spoke in favor of reducing the speed limit and erecting speed limit signs with enhanced conspicuity. He said the reduced speed limit would make this section of road safer.

Mr. Vardaro reiterated the need to construct a new Route 309 northbound bypass between Route 378 and Camp Meeting Road that would be located immediately next to existing Route 309 southbound. He asked the Board to promote this idea with the Lehigh Valley Planning Commission.

Mr. Leonard asked if the Route 309 northbound bypass as envisioned by Mr. Vardaro is on PennDOT's radar. Mr. Beil said he is not aware of the bypass being on any of PennDOT's long range transportation improvement plans.

Mr. Spaeth questioned whether reducing the speed limit by 5 mph would really improve motorist safety along this stretch of road.

Mr. Benner questioned whether there was a compelling reason to reduce the speed limit.

Mr. Vardaro pointed out it was the professional opinion of PennDOT's engineers that the speed limit should be reduced.

The Board took no action with respect to this matter.

Review possible locations for future traffic signal on Route 309 between Center Valley Parkway and Lanark Road

Present on behalf of Kay Builders were Rich Koze, Attorney Jim Preston and Rob Hoffman of Traffic Planning and Design. Attorney Preston explained Kay Builders is proposing a mixed use development along Route 309 just south of Center Valley Parkway. In addition, Kay Builders is proposing a new traffic signal on Route 309 at the entrance to the proposed development. Attorney Preston said Kay Builders is seeking the Township's help and support with getting the new traffic signal approved by PennDOT.

A lengthy discussion ensued regarding the best location for the new traffic signal on Route 309.

Mr. Koze said Kay Builders prefers the new signal be located just north of the Huckleberry Road intersection. He explained why this location works best for both the Township and the developer. Mr. Hoffman spoke in support of the signal location preferred by Kay Builders.

Mr. Beil said the downside to the developer's preferred signal location is that it would be a "T" intersection which would not connect to any roadways on the west side of the Township.

Samantha Falcone, 3515 Sunnyside Road - Ms. Falcone said the signal location preferred by the developer fails to address traffic problems on the west side of the Township.

It was the consensus of the Board to authorize Township staff to send a letter to PennDOT expressing the Township's support for Kay Builders' preferred location for the new traffic signal on Route 309. Kay Builders prefers the new signal be located just north of the Huckleberry Road intersection. In addition, the Board is interested in exploring the

possibility of a jug handle or ramp along Route 309 to allow northbound traffic to reverse direction and proceed south.

Request for rear portion of property at 6581 N. Main Street (Bassler property) to be rezoned from Suburban Residential (R-2) to Commercial (C)

Mr. Beil reviewed this matter with the Board.

Attorney Erich Schock was present on behalf of Provco Pineville Acquisitions who is looking to build a gas station and fast food restaurant at the southwest corner of Route 309 and Passer Road. Attorney Schock explained his client's interest in having the rear portion of the Bassler property at 6581 N. Main Street rezoned from Suburban Residential (R-2) to Commercial (C).

It was the consensus of the Board to move forward with rezoning the rear portion of the Bassler property from Suburban Residential (R-2) to Commercial (C). Mr. Beil said the Township Solicitor will prepare the necessary zoning ordinance amendment for possible adoption by the Board at a future meeting likely to take place in September or October.

Preparation of 2018 Township Budget and 5 Year Capital Budget

It was the consensus of the Board to refer this matter to the Administration and Finance Committee.

**COMMITTEE REPORTS**

None

**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 #06122017 dated 06/08/2017.

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

**ADDITIONAL BUSINESS**

Mr. Spaeth noted that local historian, Mark Connor, will be giving a lecture on the President Pump on Saturday, June 17, 2017 at 11:00 a.m. at the National Museum of Industrial History.

**COURTESY OF THE FLOOR**

Victor Vardaro, 6087 Main Street - Mr. Vardaro said the Township should find a way to make developers pay for needed traffic improvements on PennDOT highways.

Mr. Vardaro asked if the Board would be revisiting the issue of reducing the speed limit on Route 309.



Chairman Wagner said there is nothing to prevent the speed limit issue from being brought up again at a future meeting.

Craig Porter, 5653 Vera Cruz Road - Mr. Porter commented on some of the traffic problems in the Township. He also asked if the Township can pressure PennDOT to construct a grade separated interchange at the intersection of Route 309 and Center Valley Parkway.

Mr. Leonard said the Township continues to lobby PennDOT for the grade separated interchange.

Mr. Beil said PennDOT expects to start preliminary engineering on the grade separated interchange in 2018 with construction to start as early as 2023.

Mr. Porter inquired about the status of the Traffic Impact Fee Committee and if there is an effort to update the Traffic Impact Fee Study.

Mr. Beil said some preliminary work has been done on updating the Traffic Impact Fee Study and he expects the Committee to convene in the near future.

Mr. Vardaro wanted to bring to the Board's attention that trucks without mufflers are driving on Route 309.

### **EXECUTIVE SESSION**

At approximately 9:05 p.m. the Board met in executive session to discuss the following:

- Personnel matter – review applicants for Police Chief.
- Potential litigation - water service area dispute with the City of Bethlehem.

The Board returned from executive session at approximately 9:33 pm.

Motion made by Mr. Farrell and seconded by Mr. Benner to approve the proposed Settlement Agreement between the City of Bethlehem and the Bethlehem Authority and Upper Saucon Township resolving various disputes concerning the provision of water service within the Township, 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.

**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 9:35 p.m.

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Secretary

