

## **MINUTES**

Upper Saucon Township Board of Supervisors  
Regular Meeting  
Monday, August 28, 2017 – 6:30 P.M.  
Township Municipal Building

Members Present: Stephen Wagner, Chairman  
Patrick M. Leonard, Vice Chairman  
Brian J. Farrell  
Philip W. Spaeth

Members Absent: Dennis E. Benner

Staff Attending: Thomas F. Beil, Township Manager  
Robert E. Kassel, Jr., Assistant Township Manager  
Thomas Dinkelacker, 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**

Karline Donecker Mosebach, 3400 Lanark Road – Ms. Mosebach notified the Board of excessively loud fireworks taking place on a property near her home on Saturday, August 26. Ms. Mosebach called the Police and was told that the person setting off fireworks had a permit. She asked the Board to consider adopting regulations that place greater restrictions on the use of fireworks in residential areas.

Chairman Wagner said he lives approximately one mile from the property where the fireworks display was held. He agreed the fireworks were very loud. He added that several residents complained to him about the noise. He said the Public Works Committee is looking into the issue of fireworks and, he expects the Committee to recommend a course of action to the Board in the near future.

### **PUBLIC ANNOUNCEMENTS**

None

### **SWEARING IN CEREMONY FOR NEW POLICE CHIEF**

District Justice Daniel Trexler administered the Oath of Office to new Police Chief, Thomas J. Nicoletti.

Chief Nicoletti thanked his family, the Township management team, the Board of Supervisors and the Police Department for their support.

Chief Nicoletti recognized retired Police Chief Robert E. Coyle, Jr. for his forty years of service as a member of the Upper Saucon Township Police Department and presented him with a commemorative plaque.

### **POLLUTANT REDUCTION PLAN (PRP) FOR SAUCON CREEK AND LAUREL RUN**

Mark Harman of ARRO Consulting gave a brief overview of the Pollutant Reduction Plan (PRP) for Saucon Creek and Laurel Run. He said the PRP was prepared in order to comply with the requirements of the Pennsylvania Department of Environmental Protection.

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

Chairman Wagner said the Board will consider and possibly adopt the PRP at its next meeting which is scheduled for Monday, September 11, 2017 at 6:30 p.m.

### **SUBDIVISIONS & LAND DEVELOPMENTS**

#### **Strawberry Hill Subdivision – Resolution No. 2017-29**

Motion made by Mr. Leonard and seconded by Mr. Spaeth to adopt Resolution No. 2017-29 denying the Revised Final Subdivision Plan of Strawberry Hill Associates, LLP for the Strawberry Hill Subdivision.

The motion was approved by a vote of 4 to 0.

## **MINUTES**

### Regular Meeting of June 12, 2017

Motion made by Mr. Leonard and seconded by Mr. Spaeth to approve the minutes of the regular meeting of June 12, 2017.

The motion was approved by a vote of 4 to 0.

### Regular Meeting of June 26, 2017

Motion made by Mr. Leonard and seconded by Mr. Farrell to approve the minutes of the regular meeting of June 26, 2017.

The motion was approved by a vote of 4 to 0.

### Regular Meeting of July 10, 2017

Motion made by Mr. Leonard and seconded by Mr. Farrell to approve the minutes of the regular meeting of July 10, 2017.

The motion was approved by a vote of 4 to 0.

## **RESOLUTIONS**

### Resolution No. 2017-27 – Grant Application for Intersection Improvements at Route 309 and Route 378

Motion made by Mr. Leonard and seconded by Mr. Spaeth to adopt Resolution No. 2017-27 authorizing the submission of a grant application to the Commonwealth Financing Authority for the purpose of obtaining funding to assist with the construction of traffic improvements at the intersection of Route 309 and Route 378.

The motion was approved by a vote of 4 to 0.

## **MOTIONS**

### Inter-municipal Agreement with Southern Lehigh School District – Proposed Park Near Hopewell Elementary School

Motion made by Mr. Leonard and seconded by Mr. Farrell to approve the Inter-municipal Agreement with the Southern Lehigh School District for the purpose of planning, constructing, operating and maintaining a new park proposed on lands near the Hopewell Elementary School, and to authorize the Township Manager to execute said Agreement on behalf of the Township.

The motion was approved by a vote of 4 to 0.

### Southwestern Lehigh County Comprehensive Plan

Motion made by Mr. Leonard and seconded by Mr. Spaeth to accept the Community Development Director's comments on the draft Southwestern Lehigh County Comprehensive

Plan as outlined in her memo dated August 8, 2017 and to authorize the submission of said comments to the Lehigh Valley Planning Commission.

The motion was approved by a vote of 4 to 0.

Appointments to Comprehensive Plan Steering Committee

Motion made by Mr. Leonard and seconded by Mr. Farrell to appoint George Bloeser, Allen Cassaday, Jack DeMatos, Carolyn Dunham, Samantha Falcone, Thomas Gettings, Nathan Jones, Erin Kintzer, Melissa Napolitano and Peter Staffeld to the Comprehensive Plan Steering Committee. [Note: The Steering Committee will work with the Planning Consultant to update the Township's existing Comprehensive Plan which dates back to 1985.]

The motion was approved by a vote of 4 to 0.

Release of Funds – Sacred Heart Senior Living – Certification No. 2

Motion made by Mr. Farrell and seconded by Mr. Spaeth to authorize the release of construction security in the amount of \$57,068.00 for the Sacred Heart Senior Living project in accordance with the Township Engineer's recommendation made by letter dated August 21, 2017.

The motion was approved by a vote of 4 to 0.

**CORRESPONDENCE & INFORMATION ITEMS**

None

**DIRECTION/DISCUSSION ITEMS**

Request by John and Susan Blair to have the properties at 6655 Passer Road and 6600 New Street rezoned from Suburban Residential to Commercial

Attorney Durso said her clients, John and Susan Blair, would like to have their property at 6655 Passer Road and an adjoining property at 6600 New Street rezoned from Suburban Residential (R-2) to Commercial (C). Attorney Durso and Mr. Blair spoke in support of the rezoning.

A lengthy discussion ensued.

The Board asked Mr. Blair to meet with Township Staff to discuss options for how the two properties could be developed in a sensible manner.

Review Agenda for Zoning Hearing Board meeting on September 6, 2017

Mr. Beil reviewed the four appeals on the docket for the September 6, 2017 Zoning Hearing Board meeting. He noted the Board of Supervisors had previously taken a position in opposition to Appeal No. 2017-09 filed by Traditions of America regarding the property at 5500 Locust Valley Road.

Attorney David Biddison was present on behalf of Traditions of America. Mr. Biddison asked the Board to reconsider its position with respect to Appeal No. 2017-09. Attorney Biddison spoke in support of his position that the Board should rescind its opposition to the Appeal No. 2017-09.

A lengthy discussion ensued. Attorney Biddison responded to the Board's questions and concerns.

It was the consensus of the Board to rescind its opposition to Appeal No. 2017-09. The Board asked the Director of Community Development to appear at the Zoning Hearing Board meeting on September 6, 2017 to explain the Board's position on this matter.

Proposed Ordinance No. 141-P – Revisions to Conservation Design Development and Age Qualified Community Zoning Regulations

Patricia Lang, Director of Community Development, reviewed proposed Ordinance No. 141-P with the Board.

It was the consensus of the Board to authorize staff to advertise proposed Ordinance 141-P so that final adoption can be considered at a future meeting in October or November.

Write letter to State legislators asking them to oppose House Bill 1620 which would strip municipalities of their zoning authority over wireless antennas in public rights-of-way

It was the consensus of the Board that the Township Manager should send a letter to State Representative Simmons and State Senator Brown asking them to oppose House Bill 1620.

**BILLS, PAYROLL, AND COMMISSIONS**

Motion made by Mr. Leonard and seconded by Mr. Farrell to authorize payment of the Prepaid Invoice List and Warrant List #08282017 dated 08/25/2017.

The motion was approved by a vote of 4 to 0.

**ADDITIONAL BUSINESS**

None

**COURTESY OF THE FLOOR**

None

**EXECUTIVE SESSION**

At approximately 8:45 p.m., the Board met in Executive Session to discuss a personnel matter and potential litigation involving the Police Department.

The Board returned from executive session at approximately 9:00 p.m.

Motion by Mr. Farrell and seconded by Mr. Leonard to adopt Resolution No. 2017-28 establishing or reaffirming the establishment of the Upper Saucon Township Police Department.

The motion was approved by a vote of 4 to 0.

**ADJOURNMENT**

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

The motion was approved by a vote of 4 to 0.

The meeting was adjourned at approximately 9:02 p.m.

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Secretary