

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, February 12, 2018 – 6:30 P.M.
Township Municipal Building

Members Present: Patrick M. Leonard, Chairman
Dennis E. Benner, Vice Chairman
Brian J. Farrell
Stephen Wagner

Members Absent: Philip W. Spaeth

Staff Attending: Thomas F. Beil, Township Manager
Joseph Geib, Assistant Township Manager
Thomas Dinkelacker, Township Solicitor
Charles Unangst, P.E., Township Engineer
Patricia Lang, Director of Community Development

CALL TO ORDER

Chairman Leonard 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. Leonard asked all in attendance to stand and recite the “Pledge of Allegiance.”

NOTIFICATION

Mr. Leonard 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

PRESENTATION BY TERRY SCHETTINI OF FAIR DISTRICTS PA – REQUEST FOR TOWNSHIP TO SUPPORT REDISTRICTING REFORM

Ms. Ronnie Arena, 4621 Blue Church Road, briefly explained the need for redistricting reform and introduced Mr. Terry Schettini of Fair Districts PA. Mr. Schettini gave a presentation in support of redistricting reform in Pennsylvania. He explained how the current redistricting system works to undermine the integrity of our elections. He asked the Board to support reform efforts to assign legislative and congressional redistricting to a fair and impartial citizens commission.

Chairman Leonard asked if anyone from the public wished to address the Board regarding the issue of redistricting.

Dodd Lamberton, 4475 Founders Drive, supported and agreed with Mr. Schettini's presentation. He urged the Board to support redistricting reform.

Jason Reed, 4579 Liberty Road, agreed with everything Messrs. Schettini and Lamberton said regarding the need for redistricting reform.

Curt Doll, 1819 Flint Hill Road, agreed with the comments of the previous speakers. He emphasized the non-partisan nature of the redistricting reform effort advanced by Fair Districts PA.

Daniel Miller, 4621 Blue Church Road, asked everyone who supports redistricting reform to stand up so the Board can see the level of support this issue has in the community. Approximately 20 people stood up.

Chairman Leonard said he supports redistricting reform.

Supervisor Benner asked if anyone in attendance opposed redistricting reform. There was no response.

The Board directed Mr. Beil to prepare a resolution expressing the Board's support for redistricting reform. The Board will consider taking action on this matter at its next meeting which is scheduled for Monday, February 26, 2018 at 6:30 p.m.

PRESENTATION BY PAUL KAMOR OF PNC BANK – ANNUAL PERFORMANCE REVIEW OF TOWNSHIP PENSION PLAN INVESTMENTS

Paul Kamor of PNC Bank, the Township's pension custodian, reviewed the performance of the Township's pension plans for the year 2017.

SUBDIVISIONS & LAND DEVELOPMENTS

None

MINUTES

Reorganization Meeting of January 2, 2018

Motion made by Mr. Wagner and seconded by Mr. Farrell to approve the minutes of the Reorganization meeting of January 2, 2018.

The motion was approved by a vote of 3 to 0. Mr. Benner abstained from voting because he was not present at the Board meeting on January 2, 2018.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 141-Q – ZONING ORDINANCE AMENDMENT

Proposed Ordinance No. 141-Q amends the Township Zoning Ordinance to add a new Section 232 “Enterprise Overlay Zone,” to create a corporate campus use as a permitted use in the Enterprise Overlay Zone, to add a new Section 493 to create regulations for the corporate campus use and to add and modify certain definitions germane to the corporate campus use; and further to amend the official zoning map to designate a section of the Enterprise (E) Zone as including the Enterprise Overlay Zone (EOZ).

Chairman Leonard opened the hearing and asked Solicitor Dinkelacker to handle the proceedings.

Solicitor Dinkelacker summarized proposed Ordinance No. 141-Q. He stressed that an entity owning land in the Enterprise Overlay Zone does not lose the ability to develop that land in accordance with the underlying base zoning requirements which in this case is the Enterprise (E) Zone. The purpose of the Overlay Zone is to add a use and expand the opportunities of the landowner, not to take opportunities away that presently exist.

Solicitor Dinkelacker introduced the following exhibits into the record:

- Exhibit T-1 - Complete copy of proposed Ordinance 141-Q.
- Exhibit T-2 - Letter dated December 27, 2017 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance 141-Q to the Upper Saucon Township Planning Commission.
- Exhibit T-3 - Letter dated December 28, 2017 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance 141-Q to the Lehigh Valley Planning Commission.
- Exhibit T-4 - Review comments received from the Upper Saucon Township Planning Commission.
- Exhibit T-5 - Review comments received from the Lehigh Valley Planning Commission.
- Exhibit T-6 – Copy of notice posted on affected properties.

- Exhibit T-7 – Photographs of property postings and map showing locations of postings.
- Exhibit T-8 – Copy of public notice for proposed Ordinance 141-Q which was mailed to interested parties.
- Exhibit T-9 - Copy of public notice for proposed Ordinance 141-Q which was submitted to The Morning Call newspaper for publication on January 24, 2018, and January 31, 2018.
- Exhibit T-10 - Copy of actual public notice printed in The Morning Call on January 24, 2018, and January 31, 2018.
- Exhibit T-11 – Letter dated December 28, 2017 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance 141-Q to the Lehigh County Department of Law.
- Exhibit T-12 – Written comments received from Attorney Joseph Fitzpatrick by letter dated January 30, 2018 regarding Ordinance No. 141-Q and request to expand the Enterprise Overlay Zone to include the property owned by Schoolhouse Equities.

Solicitor Dinkelacker noted Exhibits T-1 through T-12 will become part of the official record of the hearing.

Ms. Lang, Director of Community Development, briefly explained how the proposed Ordinance promotes sound planning principles. She stressed the proposed Ordinance is intended to accommodate changing patterns of development relative to corporate campuses while at the same time providing for innovative design.

Mr. Benner asked about adding the Schoolhouse Equities' property to the proposed Overlay Zone. Solicitor Dinkelacker said the request by Schoolhouse Equities to have their property added to the Overlay Zone can be considered at a later time.

Solicitor Dinkelacker asked if any of the affected property owners wished to comment on the proposed Ordinance.

Pete Talman of Jones Lang LaSalle was present on behalf of B. Braun Medical. He asked the Board to consider adding one of B. Braun's properties to the Overlay Zone. He inquired about the 1000 foot setback in the proposed Ordinance. Solicitor Dinkelacker confirmed the 1000 foot setback does not affect the properties owned by B. Braun.

Attorney Tim Charlesworth was present on behalf of B. Braun Medical. He clarified the 2.5 acre property B. Braun would like to have added to the Overlay Zone is identified as Tax Parcel No. 641542055655.

Erin Kintzer, Director of Real Estate Services at Lehigh University, spoke in support of the proposed Ordinance because it will help attract large corporations to the area. She added the Ordinance is smartly written and encourages green initiatives.

Attorney Emil Kantra was present on behalf of Schoolhouse Equities. He asked the Board to consider adding the Schoolhouse Equities' property to the Overlay Zone at some point in the future.

Cory Balliet was present on behalf of Olympus Corporation. He said Olympus Corporation has no objection to the proposed Ordinance.

Solicitor Dinkelacker asked if anyone from the public wished to comment on the Ordinance.

Samantha Falcone, Chair of the Township Planning Commission, spoke in favor of the proposed Ordinance.

Brian Mcfarlane, member of the Township Planning Commission, spoke in support of the proposed Ordinance.

Don Kuntzman, 2837 Oakhurst Drive, asked if the area encompassing the new Overlay Zone will have direct access to Oakhurst Drive. He is concerned about the volume and speed of traffic on Oakhurst Drive. Solicitor Dinkelacker said street access issues will be addressed during the land development review process.

Chairman Leonard closed the public hearing.

Adoption of Proposed Ordinance No. 141-Q

Motion made by Mr. Benner and seconded by Mr. Wagner to adopt proposed Ordinance No. 141-Q amending the Township Zoning Ordinance to add a new Section 232 "Enterprise Overlay Zone," to create a corporate campus use as a permitted use in the Enterprise Overlay Zone, to add a new Section 493 to create regulations for the corporate campus use and to add and modify certain definitions germane to the corporate campus use; and further to amend the official zoning map to designate a section of the Enterprise (E) Zone as including the Enterprise Overlay Zone (EOZ).

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

A roll call vote was taken and the vote was as follows:

Supervisor Farrell	Yes
Supervisor Wagner	Yes
Supervisor Benner	Yes
Supervisor Leonard	Yes

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

RESOLUTIONS

Resolution No. 2018-14 – Comprehensive Fee Schedule for Community Development Department

Motion made by Mr. Benner and seconded by Mr. Wagner to adopt Resolution No. 2018-14 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. [Note: This Resolution corrects a minor typo on Page 4 of the previous fee schedule adopted by Resolution No. 2018-05 on January 22, 2018.]

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

MOTIONS

Resignation of Patrick M. Leonard As A Member of Board of Supervisors

Motion made by Mr. Benner and seconded by Mr. Farrell to accept the resignation of Patrick M. Leonard as a member of the Board of Supervisors effective February 19, 2018.

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

Appointment of Assistant Township Manager

Motion made by Mr. Farrell and seconded by Mr. Wagner to appoint Joseph L. Geib as Assistant Township Manager with an annual starting salary of \$82,178.00.

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

Appointment of Robert E. Kassel, Jr. to Fill Vacancy on Board of Elected Auditors

Motion made by Mr. Farrell and seconded by Mr. Wagner to appoint Robert E. Kassel, Jr., to the vacant position on the Upper Saucon Township Board of Elected Auditors for a term expiring on January 6, 2020.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

None

COMMITTEE REPORTS

None

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Benner and seconded by Mr. Wagner to authorize payment of the Prepaid Invoice List and Warrant List #02122018 dated 2/8/2018.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

At approximately 7:28 p.m. the Board met in executive session to discuss:

- Possible land acquisition by the Township
- Strategy for upcoming contract negotiations with the police union.

The Board returned from executive session at approximately 8:13 p.m.

ADJOURNMENT

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

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

The meeting was adjourned at approximately 8:13 p.m.

Secretary