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MINUTES

Upper Saucon Township Board of Supervisors
Reorganization Meeting
Monday, January 7, 2019 – 6:30 P.M.
Township Municipal Building

Members Present: Dennis E. Benner, Chairman
Brian J. Farrell, Vice Chairman
Philip W. Spaeth
Kimberly Stehlik
Stephen Wagner

Staff Attending: Thomas F. Beil, Township Manager
Joseph Geib, Assistant Township Manager
Thomas Dinkelacker, Township Solicitor
Kevin Chimics, P.E., Township Engineer
Patricia Lang, Director of Community Development
Patrick Leonard, Special Projects Coordinator
Thomas J. Nicoletti, Chief of Police
Dane Carroll, Emergency Management Coordinator

CALL TO ORDER

Mr. Benner 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. Benner asked all in attendance to stand and recite the “Pledge of Allegiance.”

NOTIFICATION

Mr. Benner 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

Appoint Temporary Chairperson

Motion made by Mr. Farrell and seconded by Ms. Stehlik to appoint Solicitor Dinkelacker as Temporary Chairperson for the purpose of conducting the election of a permanent chairperson.

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

Elect Chairperson

Solicitor Dinkelacker asked for nominations for the position of Chairperson.

Motion made by Mr. Farrell and seconded by Mr. Wagner to nominate and elect Dennis Benner as Chairman of the Board of Supervisors.

There being no further nominations, the nominations were closed and Solicitor Dinkelacker called for the vote.

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

Elect Vice Chairperson

Chairman Benner asked for nominations for the position of Vice Chairperson.

Motion made by Mr. Wagner and seconded by Mr. Benner to nominate and elect Brian Farrell as Vice Chairman of the Board of Supervisors.

There being no further nominations, the nominations were closed and Chairman Benner called for the vote.

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

Appoint Township Secretary

Motion made by Ms. Stehlik and seconded by Mr. Farrell 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. Wagner and seconded by Mr. Farrell to appoint Joseph L. Geib as Township Treasurer.

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

Appoint Assistant Township Secretary

Motion made by Ms. Stehlik and seconded by Mr. Wagner to appoint Joseph L. Geib as Assistant Township Secretary.

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

Appoint Assistant Township Treasurer

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

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

PUBLIC COMMENT

None

REORGANIZATION BUSINESS

Establish Treasurer's Bond

Motion made by Mr. Wagner and seconded by Ms. Stehlik to establish the Treasurer's Bond for the year 2019 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. Farrell and seconded by Ms. Stehlik to establish the Assistant Treasurer's Bond for the year 2019 at \$2,000,000.00.

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

Depository for Township Funds – Resolution No. 2019-01

Motion made by Mr. Wagner and seconded by Ms. Stehlik to adopt Resolution No. 2019-01 approving QNB Bank as depository for Township funds for the year 2019.

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

Appointment of Township Solicitor

Motion made by Mr. Farrell and seconded by Ms. Stehlik to appoint the law firm of Dimmich & Dinkelacker, P.C., as Township Solicitor and to approve the fee agreement with Dimmich & Dinkelacker, P.C., effective January 1, 2019.

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

Reappointment of Township Engineer

Motion made by Mr. Wagner and seconded by Mr. Farrell 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 2019 Professional Fee Schedule included with Mr. Unangst's letter of December 7, 2018.

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

Reappointment of Township Conflict Engineer

Motion made by Mr. Wagner and seconded by Ms. Stehlik 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, 2019, 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. Farrell and seconded by Ms. Stehlik to reappoint Jacob A. Schray (SEO #03134), Christopher A. Taylor (SEO #03138), Gregory C. Gray (SEO #03945) and Scott J. Brown (SEO #01716) 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 Geotechnical Consultant

Motion made by Ms. Stehlik and seconded by Mr. Spaeth to reappoint Leidos, Inc., as the Township Geotechnical Consultant and to compensate the Township Geotechnical Consultant for services rendered in accordance with the 2019 Geotechnical Services Rate Schedule included with Kent Littlefield's letter of December 13, 2018.

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

Appointment of Auditor – Resolution No. 2019-02

Motion made by Mr. Farrell and seconded by Mr. Spaeth to adopt Resolution No. 2019-02 appointing the accounting firm of RKL, LLP (f/k/a Reinsel Kuntz Leshner, LLP) to perform the 2018 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 Ms. Stehlik and seconded by Mr. Spaeth 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 Ms. Stehlik and seconded by Mr. Spaeth 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. Wagner 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, 2019.

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

Police Pension Committee

Motion made by Mr. Wagner and seconded by Ms. Stehlik to appoint Dennis Benner, Philip Spaeth and Dane Carroll to the Upper Saucon Township Police Pension Committee for the 2019 calendar year.

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

Non-Uniformed Employees' Pension Committee

Motion made by Mr. Wagner and seconded by Ms. Stehlik to appoint Thomas E. Young, Robert Tierney and Philip Spaeth to the Upper Saucon Township Non-Uniformed Employees' Pension Committee for the 2019 calendar year.

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

Municipal Authority/Sewage Treatment Authority

Motion made by Mr. Wagner and seconded by Mr. Spaeth to reappoint Mark P. Sullivan to the Municipal Authority and Sewage Treatment Authority for a five year term expiring on December 31, 2023.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Wagner and seconded by Mr. Farrell to appoint Mike McGinty to the Uniform Construction Code Board of Appeals for a one 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. Wagner and seconded by Ms. Stehlik to reappoint David T. Howard to the Uniform Construction Code Board of Appeals for a one 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 Ms. Stehlik and seconded by Mr. Farrell to reappoint Stewart J. Gouck to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2019.

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

Zoning Hearing Board (Regular Member)

Motion made by Mr. Wagner and seconded by Ms. Stehlik to adopt Resolution No. 2019-03 reappointing James Rouland to the Upper Saucon Township Zoning Hearing Board for a three year term expiring on December 31, 2021.

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

Zoning Hearing Board (Alternate Member)

Motion made by Mr. Wagner and seconded by Mr. Spaeth to adopt Resolution No. 2019-04 appointing Dennis Harman as an Alternate Member of the Zoning Hearing Board for a partial term expiring on December 31, 2019.

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

Planning Commission

Motion made by Ms. Stehlik and seconded by Mr. Spaeth to reappoint Samantha Ciotti Falcone to the Planning Commission for a four year term expiring on December 31, 2022.

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

Planning Commission

Motion made by Mr. Spaeth and seconded by Ms. Stehlik to reappoint George J. Bloeser, Jr., to the Planning Commission for a four year term expiring on December 31, 2022.

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

Park & Recreation Commission

Motion made by Mr. Wagner and seconded by Mr. Spaeth to reappoint Craig Roth to the Park and Recreation Commission for a five year term expiring on December 31, 2023.

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

Park & Recreation Commission

Motion made by Mr. Wagner and seconded by Ms. Stehlik to reappoint Robert Repsher, Jr., to the Park and Recreation Commission for a five year term expiring on December 31, 2023.

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

Environmental Advisory Council

Motion made by Mr. Spaeth and seconded by Mr. Farrell to reappoint Thomas L. Gettings to the Environmental Advisory Council for a three year term expiring on December 31, 2021.

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

Environmental Advisory Council

Motion made by Mr. Wagner and seconded by Ms. Stehlik to reappoint Geraldine Davies to the Environmental Advisory Council for a three year term expiring on December 31, 2021.

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

Designate Chairperson of Environmental Advisory Council

Motion made by Mr. Wagner and seconded by Mr. Spaeth to designate Thomas L. Gettings as Chairperson of the Upper Saucon Township Environmental Advisory Council for the year 2019.

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

Deputy Emergency Management Coordinator

Motion made by Mr. Wagner and seconded by Ms. Stehlik to appoint Patrick M. Leonard to serve as Deputy Emergency Management Coordinator for Upper Saucon Township.

Chairman Benner noted that Dane Carroll, Emergency Management Coordinator for Upper Saucon Township, was present and invited him to address the Board.

Mr. Carroll gave a brief update on current emergency management initiatives and said he fully supports the appointment of Mr. Leonard as Deputy Emergency Management Coordinator.

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

Establish 2019 Regular Meeting Schedule

Motion made by Ms. Stehlik and seconded by Mr. Farrell to approve the following regular meeting schedule for 2019:

Board of Supervisors

(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)

*Monday, January 7, 2019 (Reorg.)	Monday, July 8, 2019
Monday, January 28, 2019	Monday, July 22, 2019
Monday, February 11, 2019	Monday, August 12, 2019
Monday, February 25, 2019	Monday, August 26, 2019
Monday, March 11, 2019	Monday, September 9, 2019
Monday, March 25, 2019	Monday, September 23, 2019
Monday, April 8, 2019	Monday, October 14, 2019
Monday, April 22, 2019	Monday, October 28, 2019
Monday, May 13, 2019	*Tuesday, November 12, 2019
***Monday, May 20, 2019	***Monday, November 18, 2019
Monday, June 10, 2019	Monday, December 9, 2019
Monday, June 24, 2019	***Monday, December 16, 2019

- *1st Monday of month
- **2nd Tuesday of month
- **3rd Monday of month

Note: Special meetings will be scheduled when needed.

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

Committee Assignments for 2019

Chairman Benner announced the following committee assignments for 2019:

Planning and Zoning Committee

Dennis Benner, Chair
Stephen Wagner
Brian Farrell (Alternate)

Public Works and Transportation Committee

Brian Farrell, Chair
Kimberly Stehlik

Administration and Finance Committee

Philip Spaeth, Chair
Brian Farrell

Emergency Services Committee

Stephen Wagner, Chair
Dennis Benner

Parks/Recreation and Open Space Committee

Kimberly Stehlik, Chair
Philip Spaeth

Appointments Review Committee

Brian Farrell, Chair
Kimberly Stehlik

Appointment of Voting Delegate to State Association's Annual Convention

Motion made by Mr. Farrell and seconded by Mr. Spaeth to appoint Kimberly Stehlik as the Township's voting delegate to the State Association's annual convention.

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

MINUTES

Regular Meeting of November 13, 2018

Motion made by Mr. Spaeth and seconded by Ms. Stehlik to approve the minutes of the regular meeting of November 13, 2018.

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

ORDINANCES

None

RESOLUTIONS

Resolution No. 2019-05 – Comprehensive Fee Schedule for Community Development Department

Motion made by Mr. Farrell and seconded by Mr. Wagner to adopt Resolution No. 2019-05 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.

Mr. Beil reviewed the proposed Fee Schedule with the Board highlighting the differences between the proposed Fee Schedule and the current Fee Schedule.

Chairman Benner suggested updating the recreation fee to ensure the fee is fair and appropriate. Mr. Beil said he would look into this matter and report back to the Board.

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

Resolution No. 2019-06 – Police Pension Plan Contribution

Motion made by Mr. Farrell and seconded by Mr. Spaeth to adopt Resolution No. 2019-06 requiring participants of the Police Pension Plan to make a mandatory contribution to the police pension fund for the year 2019.

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

Resolution No. 2019-07 – Non-Uniformed Employees’ Pension Plan Contribution

Motion made by Mr. Wagner and seconded by Ms. Stehlik to adopt Resolution No. 2019-07 requiring participants of the Non-Uniformed Employees’ Pension Plan to make a mandatory contribution to the non-uniformed employees’ pension fund for the year 2019.

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

Resolution No. 2019-08 - Consultant Review Fees To Be Paid By Developers In Connection With The Review And Approval Of Subdivisions And Land Developments

Motion made by Mr. Wagner and seconded by Mr. Farrell to adopt Resolution No. 2019-08 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.

MOTIONS

Lease of Township-owned Property at 4556 E. Valley Road

Motion made by Ms. Stehlik and seconded by Mr. Farrell 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.

Lease of Township-owned Property at 4865 W. Hopewell Road (Curly Horse Open Space)

Motion made by Mr. Wagner and seconded by Ms. Stehlik to approve the Lease Agreement with Dennis Trexler which would allow for the growing, cultivation and harvesting of crops on a portion of the Township-owned property at 4865 W. Hopewell Road and to authorize the Township Manager to execute said Lease Agreement.

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

Saucon Valley Country Club – Release and Settlement Agreement To Resolve Sewer Billing Error

Motion made by Mr. Spaeth and seconded by Mr. Farrell to approve the Release and Settlement Agreement with Saucon Valley Country Club resolving a sewer billing error and to authorize the Township Manager to execute said Agreement on behalf of the Township.

Mr. Beil and Attorney Dinkelacker reviewed this matter with the Board.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

Consider prohibiting private waste haulers from collecting trash and recyclables between the hours of 9:00 pm and 5:00 am.

Mr. Beil said numerous residents have contacted the Township to complain about private trash haulers collecting refuse and recyclables in the early morning hours, primarily between 2:00 a.m. and 4:00 a.m. He explained the Township does not currently have an ordinance regulating this activity.

A discussion ensued as to whether the Township should restrict when trash haulers can collect refuse and recyclables.

David Howard, 5973 Bluegrass Trail, suggested the Township try to get trash haulers to accept self-imposed limitations on collection times before taking the extreme step of enacting an ordinance.

It was the consensus of the Board to authorize the Township Solicitor to prepare an ordinance prohibiting trash haulers from collecting refuse and recyclables between the hours of 9:00 p.m. and 5:30 a.m. The ordinance will be presented to the Board at a future meeting for consideration and possible adoption.

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Wagner and seconded by Mr. Farrell to authorize payment of the Prepaid Invoice List and Warrant List dated 1/4/2019.

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. Farrell and seconded by Ms. Stehlik to adjourn the meeting.

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

The meeting was adjourned at approximately 7:28 p.m.

Secretary

