

## MINUTES

Upper Saucon Township Board of Supervisors  
Regular Meeting  
Monday, March 25, 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  
Roxanne Steelman, Township Solicitor  
Charles Unangst, P.E., Township Engineer

### 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.

### ANNOUNCEMENT

Mr. Benner announced that the matter involving Kay Builders and Legend Properties has been removed from tonight’s agenda and will be discussed at a Special Meeting scheduled for Wednesday, April 10, 2019 at 6:30 p.m. in the auditorium at the Southern Lehigh Middle School.

## **PUBLIC COMMENT**

Geraldine Davies, 5486 Glen Road, wanted to know why Mr. Benner proposed reducing the recreation fee charged to developers. Mr. Benner said he asked the Township Manager to look into this issue to make sure the recreation fee was fair and legally defensible. He further explained the Board is still considering this issue and a final decision has not been made. Mr. Benner emphasized he is not advocating for a reduction in the recreation fee but just wants to make sure the fee is fair.

Ms. Davies expressed concern that the Township is losing open space and farmland to development. She said the recreation fee could be used to purchase open space, and she is puzzled by the Board's willingness to even consider reducing the fee.

Ms. Davies was concerned about the mixed use development proposed by Kay Builders. She said it was dangerous to give developers like Kay Builders carte blanche to re-write the Township zoning ordinance. She said the Kay Builders mixed use development would have a negative impact on the School District and is likely to result in a massive school tax increase. She noted the cost to educate one student is approximately \$18,000 per year.

Keith Kichline stated he has an Allentown mailing address but his parents live in Upper Saucon Township. He is against more development and giving tax breaks to developers. He said too many developers move out of the area or close down after receiving tax breaks. He inquired about the sewer extension project proposed for Oakhurst Drive. Mr. Beil said the Municipal Authority is handling this project and he encouraged Mr. Kichline to attend the Authority's next meeting which is scheduled for April 1.

Mark Leferovich, 5711 Limeport Pike, inquired about a 24-acre property on PA 309, wondering what the purchase price was, and who the developer is. Mr. Beil said this property has not been sold and there is no development proposed at this time.

## **MINUTES**

None

## **ORDINANCES**

### **Proposed Ordinance No. 67-WW – Establishing No Parking Zone Along A Portion of Cherry Lane**

Motion made by Mr. Spaeth and seconded by Mr. Farrell to adopt Ordinance No. 66-WW, to establish a No Parking Zone along a portion of Cherry Lane.

Mr. Beil briefly reviewed this matter with the Board. He noted a resident of Chestnut Drive requested the no parking zone to address a safety concern at the intersection of Cherry Lane and Chestnut Drive.

Mr. Benner asked if anyone from the public wished to comment on the proposed Ordinance.

An unidentified woman in the audience had several questions regarding the proposed Ordinance. Mr. Beil responded to her questions.

Richard Bogdany of 2992 Forest Drive wanted to know why people choose to park in the street rather than their own driveway. Mr. Beil said the parking problems are caused by parents who park their cars along Cherry Lane to drop off and pick up their children at a nearby school bus stop.

Mr. Bogdany expressed concerns about vehicles speeding on Forest Drive. Mr. Beil said he would bring this matter to the attention of the Police Chief.

Mr. Bogdany mentioned some of the activities taking place at Flint Hill Farms are more like a business and probably violate the zoning ordinance.

Mr. Benner said the Board is accepting public comment on proposed Ordinance No. 67-WW and asked Mr. Bogdany to limit his comments to this particular issue.

An unidentified man in the audience inquired if the School District could relocate the bus stop. Mr. Beil said the School District was not inclined to move the bus stop.

An unidentified woman in the audience inquired why parking is not restricted on both sides of Cherry Lane. Mr. Beil said the proposed Ordinance was intended to deal with a specific parking concern on Cherry Lane, and many times when parking restrictions are too expansive, there is push-back from residents who view the restrictions as excessive. Mr. Wagner noted the no parking zone can be expanded at a later time.

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

## **RESOLUTIONS**

### **Resolution No. 2019-14 – Grant Application for Construction of Dog Park**

Motion made by Mr. Spaeth and seconded by Ms. Stehlik to adopt Resolution No. 2019-14 authorizing the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources for the purpose of obtaining funding to assist with construction of a dog park near the Upper Saucon Township Community Park.

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

### **Resolution No. 2019-15 – Grant Application for Hopewell Park Amenities**

Motion made by Mr. Farrell and seconded by Ms. Stehlik to adopt Resolution No. 2019-15 authorizing the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources for the purpose of obtaining funding to assist with the purchase and installation of amenities at Hopewell Park.

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

Resolution No. 2019-16 – Grant Application for Acquisition and Preservation of 6807 Blue Church Road

Motion made by Mr. Farrell and seconded by Mr. Spaeth to adopt Resolution No. 2019-16 authorizing the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources for the purpose of obtaining funding to assist with the acquisition and preservation of 6807 Blue Church Road.

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

**MOTIONS**

Award Bid – Hopewell Park Project (Base Bid, Alternate 1 and Alternate 2)

Motion made by Mr. Spaeth and seconded by Mr. Farrell to award the bid for the Hopewell Park construction project to Barwis Construction, LLC for a bid price of \$3,219,176.97.

Mr. Beil noted Barwis Construction's bid was approximately \$800,000 below the amount budgeted for the project.

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 April 1, 2019

Mr. Beil reviewed the three appeals on the docket for the April 1, 2019 Zoning Hearing Board meeting. It was determined that all three appeals involve routine matters that can be handled by the Zoning Hearing Board without input from the Board of Supervisors.

**BILLS, PAYROLL, AND COMMISSIONS**

Motion made by Mr. Wagner and seconded by Ms. Stehlik to authorize payment of the Prepaid Invoice List and Warrant List dated 03/20/2019.

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

**ADDITIONAL BUSINESS**

Mr. Beil announced there is a special meeting of the Board of Supervisors scheduled for April 10 at 6:30 pm at the Southern Lehigh Middle School to discuss the proposal by Kay Builders for a Mixed Use development on 119 acres along Route 309.

## COURTESY OF THE FLOOR

Deb Hrycko of 5436 Vera Cruz Road was concerned about all the trucks parking on Saucon Valley Road near the Aldi warehouse. She said the trucks are parked on both sides of the street and pose a serious safety concern. Mr. Beil indicated that the problem exists because Aldi does not allow the trucks to enter the parking lot of the distribution center before their appointed time, so their drivers choose to park along Saucon Valley Road despite it being posted as a no parking zone. He noted the fine for parking in a no parking zone is currently \$5 which does not seem to be an effective deterrent to the Aldi truck drivers.

The Board would like the Solicitor to work with the Township staff to investigate the possibility of increasing the fine for parking in a no parking zone.

Thelma Kaufman of 5002 Route 309 agreed with the prior speaker regarding the truck parking problem on Saucon Valley Road. She also mentioned that the trucks damage the guiderail at the intersection of Saucon Valley Road and Route 378.

Richard Davies of 5468 Glen Road commented that the zoning map on the Township web site does not accurately depict the AQC overlay zone. He wanted to know why Kay Builders zeroed in on the Industrial zoned land along Route 309 and whether the Board of Supervisors suggested the site to Kay Builders. Mr. Wagner said the Board did not suggest the site to Kay Builders and Mr. Davies should consider directing this question to Lehigh University, the owner of the land in question.

Mr. Davies said the mixed use development proposed by Kay Builders might be more appropriate for land next to the Promenade Shops.

Mr. Bogdany had concerns about the traffic generated by Flint Hill Farms. In addition, he expressed concerns about possible zoning violations and labor law violations at Flint Hill Farms. Mr. Wagner requested that the Zoning Officer look into Mr. Bogdany's concerns. Mr. Bogdany said the Township would not let him subdivide his property but the owner of Flint Hill Farms seems to do whatever she wants.

Mr. Bogdany complained about the loss of farmland, specifically that there are no dairy farms in the area.

**ADJOURNMENT**

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

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

The meeting was adjourned at approximately 7:23 p.m.

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Secretary

