

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, May 13, 2019 – 6:30 P.M.
Township Municipal Building

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

Participating Via
Speakerphone: Stephen Wagner

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
Thomas J. Nicoletti, Chief of Police

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.

PUBLIC COMMENT

Jennifer and Aaron Stancombe, 3828 Bittersweet Road, addressed the Board about a continuing issue in the conveyance channel constructed on the Heritage Conservancy property as part of the Oakhurst Drive Drainage Project. Ms. Stancombe said she worked with the Township to try and resolve issues with standing water on their property but is still concerned about standing water in the plunge pool, and the potential for the area to become a mosquito habitat.

Mr. Beil explained that Princeton Hydro was engaged to design and oversee construction of the plunge pool. Princeton Hydro confirmed the plunge pool was constructed properly, and their work on the project is complete. Mr. Beil asked if the Board would like Hanover Engineering to check into the matter and provide a second opinion on the construction of the project.

It was the consensus of the Board that Hanover Engineering should investigate this matter and give a second opinion as to whether the plunge pool was constructed properly.

ADMINISTER OATH OF OFFICE TO NEWLY- HIRED POLICE OFFICER

Chief Nicoletti introduced new police officer Brandon Bolton and spoke of his qualifications and merits.

Chairman Benner administered the oath of office to police officer Brandon Bolton.

SUBDIVISIONS & LAND DEVELOPMENTS

Mindler Subdivision – Resolution No. 2019-13

Motion made by Mr. Spaeth and seconded by Ms. Stehlik to adopt Resolution No. 2019-13 conditionally approving the preliminary/final land development plan of Shirley E. and Robert J. Mindler to subdivide an existing 7.72 acre lot located at 2060 Flint Hill Road into two residential lots.

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

MINUTES

Regular Meeting of March 11, 2019

Motion made by Mr. Farrell and seconded by Mr. Spaeth to approve the minutes of the regular meeting of March 11, 2019.

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

ORDINANCES

Ordinance No. 167 - Trash Collection Hours

Motion made by Mr. Farrell and seconded by Mr. Spaeth to adopt proposed Ordinance No. 167 limiting the hours during which collectors of solid waste and recyclables may operate in the Township.

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

Peter Staffeld, 6984 Wards Lane, spoke against the Ordinance citing safety issues. He said trash collection during daytime hours could cause more accidents and is a safety concern,

especially around rush hours with more traffic and school busses on the roads. Additionally, restricting the hours of the trash haulers may lead to increased costs for the residents.

Chairman Benner said he respects Mr. Staffeld's opinion but noted it is a balancing act to appease both sides. Mr. Wagner said the ordinance allows for night collection in industrial and commercial areas. Mr. Spaeth added that Township Police will monitor the situation and safety issues will be addressed. Ms. Stehlik pointed out it's probably safer for workers to be loading trash during daylight hours.

Mr. Beil said all the local trash haulers were sent a copy of the proposed Ordinance and none of them contacted him to express an opinion.

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

RESOLUTIONS

None

MOTIONS

Steering Committee – Comprehensive Recreation & Open Space Plan

Motion made by Ms. Stehlik and seconded by Mr. Spaeth to appoint Kimberly Stehlik, Philip Spaeth, Todd Bergey, Thomas Gettings, Bridget Graver, John Inglis, III, Robert Kassel, Jr., Patrick Leonard, Lloyd Ohl and Chris Wayock to the Steering Committee responsible for updating the Comprehensive Recreation & Open Space Plan.

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

Encroachment Agreement – Jill Gliem – 6470 Mallard Lane

Motion made by Mr. Farrell and seconded by Ms. Stehlik to approve the Encroachment Agreement with Jill Gliem to allow the installation of a fence that would encroach several feet onto Township property at 6468 Mallard Lane, 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.

Request For Payment – Saucon Country Estates and Sunset Park Sanitary Sewer Project – Certification No. 8

Motion made by Mr. Wagner and seconded by Ms. Stehlik to authorize payment in the amount of \$19,546.24 to RGC Development LP for work completed on the Saucon Country Estates and Sunset Park Sanitary Sewer Project.

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

Exoneration of Township Real Estate and Fire Hydrant Taxes – 5500 Camp Meeting Road

Motion made by Mr. Farrell and seconded by Mr. Spaeth to exonerate the Township Tax Collector from collecting 2019 Township real estate and fire hydrant taxes on the property at 5500 Camp Meeting Road (Property Identification No. 642406314537 1) pursuant to correspondence dated April 14, 2019 from the Township Tax Collector.

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

Exoneration of Township Real Estate and Fire Hydrant Taxes – 1704 Courtland Lane

Motion made by Ms. Stehlik and seconded by Mr. Farrell to exonerate the Township Tax Collector from collecting 2019 Township real estate and fire hydrant taxes on the property at 1704 Courtland Lane (Property Identification No. 642558114012 1) pursuant to correspondence dated April 11, 2019 from the Township Tax Collector.

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

Authorize Phase 3 Bog Turtle Study – Former Haring Tract at 7486 Passer Road

Motion made by Ms. Stehlik and seconded by Mr. Wagner to accept the proposal dated May 3, 2019 from Ecological Associates to perform a Phase 3 bog turtle study on the former Haring tract (7486 Passer Road) at a cost not to exceed \$14,500.00.

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

Request For Payment – Hopewell Park Project – Certification No. 1

Motion made by Mr. Spaeth and seconded by Ms. Stehlik to authorize payment in the amount of \$25,956.45 to Barwis Construction for work completed on the Hopewell Park Project.

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

Williams Agreement – East Valley Road Properties

Motion made by Mr. Spaeth and seconded by Mr. Farrell to approve the Agreement with Thomas P. Williams and Williams-Thomas Financial, LLC setting forth the terms and conditions under which the Township will refrain from objecting to the Zoning Appeal filed by Thomas P. Williams pertaining to the properties at 5048 and 5068 East Valley Road, 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.

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

Authorize Township Engineer to send letter to PennDOT requesting speed limit reduction on Route 378 from 55 mph to 45 mph

Mr. Beil reviewed this matter with the Board. It was the consensus of the Board to send a letter to PennDOT requesting the speed limit on Route 378 be reduced from 55 mph to 45 mph.

Cancellation of Board of Supervisors meeting scheduled for May 20, 2019 due to lack of agenda items

It was the consensus of the Board to cancel the meeting originally scheduled for May 20, 2019.

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 5/10/2019.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

Ms. Stehlik said she had a very positive experience attending the Annual PSATS Convention in Hershey. She said there was discussion on industrial planning and zoning including how to handle truck traffic. She also learned more about the opioid epidemic and how the new marijuana laws affect municipalities.

Ms. Stehlik gave a special thank you to Township staff for their dedication and for doing a great job running the Township.

EXECUTIVE SESSION

At approximately 7:25 p.m., the Board met in executive session to discuss the following:

- Matters related to emergency preparedness, public safety and facility security.
- Possible purchase of real property.
- Curative amendment filed by Kay Lehigh, LLC.

The Board returned from executive session at approximately 9:16 p.m.

Motion made by Mr. Wagner and seconded by Mr. Farrell to appoint Robert W. Gundlach, Jr., of Fox Rothschild, LLP, as Special Counsel to present the defense of the Zoning

Ordinance provision being challenged by the Curative Amendment file by Kay Lehigh, LLC on May 1, 2019, and to compensate the Special Counsel in accordance with the fee schedule set forth in Attorney Gundlach's letter of May 13, 2019.

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

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 9:18 p.m.

Secretary

