

## MINUTES

Upper Saucon Township Board of Supervisors  
Regular Meeting  
Monday, February 24, 2020 – 6:30 P.M.  
Township Municipal Building

Members Present: Brian J. Farrell, Chairman  
Philip W. Spaeth, Vice Chairman  
Dennis E. Benner  
John G. Inglis, III

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  
Thomas Nicoletti, Chief of Police  
Patrick Leonard, Special Projects Coordinator

### CALL TO ORDER

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

### NOTIFICATION

Mr. Farrell 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

Robert Lieberman of 4449 Founders Drive identified himself as President of the Traditions of America at Saucon Valley Homeowners Association. He said he was present to provide comment on agenda items 10(j), 10(k) and 10(l) concerning the release of funds for the Traditions of America project. Mr. Lieberman indicated that there are still outstanding issues with the project related to stormwater management, landscaping, grading, concrete work, and

certificates of occupancy. Mr. Lieberman would like to see these issues rectified before the Board of Supervisors approves further releases for this project.

Andy Worthington identified himself as one of the owners of Tree Course Adventures. He said he was present to answer any questions the Supervisors may have regarding the zoning appeal filed by Tree Course Adventures which is scheduled to be heard by the Zoning Hearing Board on March 2, 2020.

Joe Vichot, 4136 Yorktown Road, expressed disappointment that the Township did not do a better job of informing residents about the on-line park and recreation survey. He said the Township could have used other means such as water and sewer bills to let residents know about the survey. He said he would happy to share his thoughts on how the Township can do a better job of reaching residents.

Patrick Leonard said information concerning the survey was posted on Nextdoor, Facebook, the Township website and the School District website. He said he would talk to Mr. Vichot about his ideas for reaching more residents.

#### **PRESENTATION BY PAUL KAMOR OF PNC BANK – INVESTMENT REVIEW OF TOWNSHIP PENSION PLANS**

Paul Kamor of PNC Bank, the Township's pension custodian, reviewed the performance of the Township's pension plans for the year 2019.

#### **SUBDIVISIONS & LAND DEVELOPMENTS**

None

#### **MINUTES**

##### Regular Meeting of November 18, 2019

Motion by Mr. Benner and seconded by Mr. Spaeth to approve the minutes of the regular meeting of November 18, 2019.

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

##### Special Meeting of November 29, 2019

Motion by Mr. Benner and seconded by Mr. Spaeth to approve the minutes of the special meeting of November 19, 2019.

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

#### **ORDINANCES**

None

## RESOLUTIONS

### Resolution No. 2020-14 – Accepting Deed of Dedication for Additional Right-Of-Way Along Flint Hill Road

Motion made by Mr. Benner and seconded by Mr. Spaeth to adopt Resolution No. 2020-14 accepting the deed of dedication for additional right-of-way along Flint Hill Road in connection with the Mindler Subdivision.

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

### Resolution No. 2020-15 – Accepting Streets in Blue Ridge West Estates Subdivision

Motion made by Mr. Inglis and seconded by Mr. Wagner to adopt Resolution No. 2020-15 conditionally accepting Skyview Drive, Saucon Ridge Road and Majestic Drive as part of the Township road system.

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

### Resolution No. 2020-16 – Accepting Deed of Easement and Agreement for Access to Water Meter Pit in Connection with Wawa Project

Motion made by Mr. Inglis and seconded by Mr. Benner to adopt Resolution No. 2020-16 approving the deed of easement and agreement for access to a future water meter pit proposed as part of the Wawa project at the corner of Route 309 and Passer Road.

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

## MOTIONS

### Request For Payment – Preston Lane Drainage & Roadway Improvements – Certification No. 13

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize payment in the amount of \$722.45 to Horst Excavating for work completed on the Preston Lane Drainage & Roadway Improvements Project.

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

### Request For Payment – Water/Sewer Dept. Garage – Certification No. 4 (Contract 3)

Motion made by Mr. Benner and seconded by Mr. Wagner to authorize payment in the amount of \$2,295.00 to Dual Temp Company, Inc., for work completed on the Water/Sewer Department Garage.

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

### Request For Payment – Water/Sewer Dept. Garage – Certification No. 3 (Contract 2)

Motion made by Mr. Spaeth and seconded by Mr. Benner to authorize payment in the amount of \$22,500.00 to K.C. Mechanical Service, Inc., for work completed on the Water/Sewer Department Garage.

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

Appointment to Park and Recreation Commission

Motion made by Mr. Inglis and seconded by Mr. Benner to appoint Kristin Gilchrist to the Park and Recreation Commission for a one-year term expiring on December 31, 2020.

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

Request For Payment – Water/Sewer Dept. Garage – Certification No. 7 (Contract 1)

Motion made by Mr. Spaeth and seconded by Mr. Inglis to authorize payment in the amount of \$118,629.72 to Ankiewicz Enterprises, Inc., for work completed on the Water/Sewer Department Garage.

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

Release of Funds – Copperhead Grille – Release Request 2

Motion made by Mr. Spaeth and seconded by Mr. Benner to authorize the release of construction security in the amount of \$13,888.05 for the Copperhead Grille parking lot and patio expansion project in accordance with the Township Engineer's recommendation made by letter dated February 10, 2020.

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

Request to Add Property at 6028 Old Hickory Lane to the Lower Milford Township  
Agricultural Security Area

Motion made by Mr. Spaeth and seconded by Mr. Inglis to approve the request of Patricia Husted to have a portion of the property at 6028 Old Hickory Lane (Lehigh County PIN 640491745209) added to the Lower Milford Township Agricultural Security Area and to authorize the Township Manager to submit said request to Lower Milford Township for final review and approval.

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

Release of Funds – Old Saucon Subdivision – Release Request 6

Motion made by Mr. Spaeth and seconded by Mr. Benner to authorize the release of construction security in the amount of \$283,133.46 for the Old Saucon Subdivision in accordance with the Township Engineer's recommendation made by letter dated February 17, 2020.

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

Exoneration of Township Real Estate Tax Bill #710010 – 6795 Passer Road

Motion made by Mr. Spaeth and seconded by Mr. Inglis to exonerate the Township Tax Collector from collecting 2019 Township real estate taxes on the property at 6795 Passer

Road (Property Identification No. 642462551639 1) pursuant to correspondence dated February 5, 2020 from the Township Tax Collector.

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

Release of Funds – Traditions of America at Saucon Valley, Phase 1 – Release Request 6  
Motion made by Mr. Benner and seconded by Mr. Spaeth to authorize the release of construction security in the amount of \$23,700.60 for Phase 1 of the Traditions of America at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated February 13, 2020.

At Mr. Wagner's request, the Township Solicitor provided an overview of the law concerning security releases. The Solicitor concluded the Board is obligated to approve a release that has been certified by the Township Engineer.

Mr. Unangst confirmed that the three releases on the agenda relating to the Traditions of America project have been certified by the Township Engineer.

A discussion ensued concerning the issues raised by Mr. Lieberman earlier in the meeting.

Ms. Lang said she has a meeting scheduled later in the week with the Traditions of America Homeowners Association. She assured the Board that Mr. Lieberman's concerns would be addressed at the meeting.

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

Release of Funds – Traditions of America at Saucon Valley, Phase 3 – Release Request 4  
Motion made by Mr. Benner and seconded by Mr. Inglis to authorize the release of construction security in the amount of \$154,604.09 for Phase 3 of the Traditions of America at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated February 13, 2020.

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

Release of Funds – Traditions of America at Saucon Valley, Phase 4 – Release Request 4  
Motion made by Mr. Benner and seconded by Mr. Wagner to authorize the release of construction security in the amount of \$97,723.13 for Phase 4 of the Traditions of America at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated February 13, 2020.

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 March 2, 2020

Mr. Beil reviewed the two appeals on the docket for the March 2, 2020 Zoning Hearing Board meeting.

One of the appeals on the docket for the March 2, 2020 Zoning Hearing Board meeting involves a request by Tree Course Adventures to establish a ropes course on the property at 5831 Vera Cruz Road. A lengthy discussion ensued concerning this matter.

Mr. Worthington of Tree Course Adventures described the ropes course proposed for the property at 5831 Vera Cruz Road and explained it would be in harmony with the surrounding neighborhood.

Messrs. Spaeth and Wagner were in favor of sending the Township Solicitor to oppose the zoning appeal filed by Tree Course Adventures. They noted that a ropes course business seemed inconsistent with the property's current zoning classification which is South Mountain Conservation.

Messrs. Farrell, Benner and Inglis, representing a majority of the Board of Supervisors, were of the opinion that the Zoning Hearing Board could handle the ropes course zoning appeal without input from the Board of Supervisors.

### **BILLS, PAYROLL, AND COMMISSIONS**

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize payment of the Prepaid Invoice List Dated February 21, 2020 for Check Issues Dates 1/28/2020 – 2/24/2020 and Warrant List dated February 21, 2020 for Report Date 2/24/2020

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

### **ADDITIONAL BUSINESS**

None

### **COURTESY OF THE FLOOR**

Robert Lieberman, 4449 Founders Drive, thanked the Board for listening to the Homeowners Association's concerns regarding the Traditions of America project. He was optimistic that the Township and Homeowners Association would work together to resolve these concerns.

**EXECUTIVE SESSION**

At approximately 7:46 p.m., the Board met in Executive Session for the following reasons:

- Real Estate Matter / Potential Litigation Involving the Tumblebrook Golf Course Lease.
- Possibility of the Township Acquiring an Interest in Real Property.

At approximately 8:37 p.m., the Board returned from Executive Session.

**ADJOURNMENT**

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

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

The meeting was adjourned at approximately 8:38 p.m.



Secretary