

MINUTES

Upper Saucon Township Board of Supervisors
Reorganization Meeting
Monday, January 4, 2021 – 6:30 P.M.
Township Municipal Building

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

CALL TO ORDER

Supervisor 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

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

NOTIFICATION

Supervisor 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.

REORGANIZATION OF THE BOARD OF SUPERVISORS

Appoint Temporary Chairperson

Motion made by Mr. Benner and seconded by Mr. Wagner to appoint Attorney Thomas 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

Attorney Dinkelacker asked for nominations for the position of Chairperson.

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

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

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

Elect Vice Chairperson

Chairman Farrell asked for nominations for the position of Vice Chairperson of the Board of Supervisors.

Motion made by Mr. Wagner and seconded by Mr. Benner to nominate and elect Philip W. Spaeth as Vice Chairperson of the Board of Supervisors.

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

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

Appoint Township Secretary

Motion made by Mr. Benner and seconded by Mr. Inglis 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. Inglis 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 Mr. Benner 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. Benner and seconded by Mr. Wagner 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. Benner and seconded by Mr. Wagner to establish the Treasurer's Bond for the year 2021 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. Benner and seconded by Mr. Inglis to establish the Assistant Treasurer's Bond for the year 2021 at \$2,000,000.00.

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

Depository for Township Funds – Resolution No. 2021-01

Motion made by Mr. Inglis and seconded by Mr. Benner to adopt Resolution No. 2021-01 approving QNB Bank as depository for Township Funds for the year 2021.

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

Reappointment of Township Solicitor

Motion made by Mr. Spaeth and seconded by Mr. Wagner to reappoint the law firm of Dimmich & Dinkelacker, P.C., as Township Solicitor and to compensate the Township Solicitor for services rendered in accordance with the fee agreement between Dimmich & Dinkelacker, P.C., and the Board of Supervisors effective January 1, 2019.

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

Reappointment of Township Engineer

Motion made by Mr. Benner and seconded by Mr. Spaeth 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 2021 Professional Fee Schedule included with Mr. Unangst's letter of December 7, 2020.

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

Appointment of Township Conflict Engineer

Motion made by Mr. Inglis and seconded by Mr. Benner to appoint Curtis J. Genner, Jr., P.E., or his designee as an employee of 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, 2021, as provided by Wynn Associates, Inc.

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

Reappointment of Sewage Enforcement Officers

Motion made by Mr. Benner and seconded by Mr. Inglis to reappoint Jacob A. Schray (SEO #03134), Christopher A. Taylor (SEO #03138) 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 Mr. Spaeth and seconded by Mr. Benner to reappoint Hydro-Terra Group as the Township Geotechnical Consultant and to compensate the Township Geotechnical Consultant for services rendered in accordance with the 2021 Geotechnical Services Rate Schedule included with Kent Littlefield's letter of December 10, 2020.

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

Appointment of Accounting Firm To Perform 2020 Audit – Resolution No. 2021-02

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt Resolution No. 2021-02 appointing the accounting firm of RKL, LLP. to perform the 2020 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 Mr. Benner 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 Mr. Benner and seconded by Mr. Wagner 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. Benner and seconded by Mr. Wagner to reappoint Richard M. Nelson to the Upper Saucon Township Vacancy Board for a one year term expiring on December 31, 2021.

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

Police Pension Committee

Motion made by Mr. Benner and seconded by Mr. Inglis to appoint Brian Farrell, Philip Spaeth and Dane Carroll to the Upper Saucon Township Police Pension Committee for the 2021 calendar year.

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

Non-Uniformed Employees' Pension Committee

Motion made by Mr. Inglis and seconded by Mr. Benner to appoint Thomas E. Young, Robert Tierney and Philip Spaeth to the Upper Saucon Township Non-Uniformed Employees' Pension Committee for the 2021 calendar year.

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

Municipal Authority/Sewage Treatment Authority

Motion made by Mr. Inglis and seconded by Mr. Benner to reappoint Joaquim (Jack) DeMatos to the Municipal Authority and Sewage Treatment Authority for a five year term expiring on December 31, 2025.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Benner and seconded by Mr. Wagner to reappoint Stewart J. Gouck to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2021.

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

Uniform Construction Code Board of Appeals

Motion made by Mr. Inglis and seconded by Mr. Wagner to appoint Jim Hall-Yurasits to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2021.

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

Resignation of Terrence Grube As Zoning Hearing Board Alternate Member To
Become Zoning Hearing Board Regular Member

Motion made by Mr. Benner and seconded by Mr. Spaeth to accept the resignation of Terrence Grube as an Alternate Member of the Zoning Hearing Board effective immediately.

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

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt Resolution No. 2021-03 appointing Terrence Grube as a Regular Member of the Zoning Hearing Board for a three 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. Inglis and seconded by Mr. Benner to reappoint Kristin Gilchrist to the Park and Recreation Commission for a five year term expiring on December 31, 2025.

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

Planning Commission

Motion made by Mr. Spaeth and seconded by Mr. Benner to reappoint Gerard Anthony to the Planning Commission for a four year term expiring on December 31, 2024.

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

Planning Commission

Motion made by Mr. Inglis and seconded by Mr. Benner to reappoint Roderick Chirumbolo to the Planning Commission for a four year term expiring on December 31, 2024.

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

Planning Commission

Motion made by Mr. Wagner and seconded by Mr. Benner to reappoint Bryan Macfarlane to the Planning Commission for a four year term expiring on December 31, 2024.

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

Environmental Advisory Council

Motion made by Mr. Spaeth and seconded by Mr. Wagner to reappoint Doris Clegg to the Environmental Advisory Council for a three 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. Inglis and seconded by Mr. Wagner to reappoint Robert Uhl, Jr., to the Environmental Advisory Council for a three year term expiring on December 31, 2023.

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

Designate Chairperson of Environmental Advisory Council

Motion made by Mr. Inglis and seconded by Mr. Benner to designate Thomas L. Gettings as Chairperson of the Upper Saucon Township Environmental Advisory Council for the year 2021.

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

Establish 2021 Regular Meeting Schedule

Motion made by Mr. Wagner and seconded by Mr. Benner to approve the following regular meeting schedule for 2021:

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 4, 2021 (Reorg.)	Monday, July 12, 2021
Monday, January 25, 2021	Monday, July 26, 2021
Monday, February 8, 2021	Monday, August 9, 2021
Monday, February 22, 2021	Monday, August 23, 2021
Monday, March 8, 2021	Monday, September 13, 2021
Monday, March 22, 2021	Monday, September 27, 2021
Monday, April 12, 2021	Monday, October 11, 2021
Monday, April 26, 2021	Monday, October 25, 2021
Monday, May 10, 2021	Monday, November 8, 2021
Monday, May 24, 2021	**Monday, November 15, 2021
Monday, June 14, 2021	Monday, December 13, 2021
Monday, June 28, 2021	**Monday, December 20, 2021

*1st Monday 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 2021

Chairman Farrell announced the following committee assignments for 2021:

Planning and Zoning Committee

Dennis Benner, Chair

Brian Farrell

Public Works and Transportation Committee

Stephen Wagner, Chair

John Inglis

Administration and Finance Committee

Philip Spaeth, Chair

Dennis Benner

Emergency Services Committee

Stephen Wagner, Chair

Dennis Benner

Parks/Recreation and Open Space Committee

John Inglis, Chair

Philip Spaeth

Appointments Review Committee

Brian Farrell, Chair

John Inglis

Appointment of Voting Delegate to State Association's Annual Convention

Motion made by Mr. Benner and seconded by Mr. Inglis to appoint Philip W. Spaeth as the Township's voting delegate to the State Association's annual convention.

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

SUBDIVISIONS & LAND DEVELOPMENTS

None

MINUTES

None

ORDINANCES

None

RESOLUTIONS

Resolution No. 2021-04 – Comprehensive Fee Schedule for Community Development Department

Motion made by Mr. Benner and seconded by Mr. Inglis to adopt Resolution No. 2021-04 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.

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

Resolution No. 2021-05 – Police Pension Plan Contribution

Motion made by Mr. Inglis and seconded by Mr. Spaeth to adopt Resolution No. 2021-05 requiring participants of the Police Pension Plan to make a mandatory contribution to the police pension fund for the year 2021.

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

Resolution No. 2021-06 – Non-Uniformed Employees' Pension Plan Contribution

Motion made by Mr. Benner and seconded by Mr. Spaeth to adopt Resolution No. 2021-06 requiring participants of the Non-Uniformed Employees' Pension Plan to make a mandatory contribution to the non-uniformed employees' pension fund for the year 2021.

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

Resolution No. 2021-07 - Consultant Review Fees To Be Paid By Developers In Connection With The Review And Approval Of Subdivisions And Land Developments

Motion made by Mr. Benner and seconded by Mr. Wagner to adopt Resolution No. 2021-07 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.

Resolution No. 2021-08 – Application to Modify Existing Traffic Signal at Intersection of Route 378 and Center Valley Parkway

Motion made by Mr. Benner and seconded by Mr. Spaeth to adopt Resolution No. 2021-08 authorizing the Township Manager to submit all necessary documentation to PennDOT in order to secure the required approvals to modify the existing traffic signal at the intersection of Route 378 and Center Valley Parkway.

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

Resolution No. 2021-09 – Application to Modify Existing Traffic Signal at Intersection of Route 378 and Saucon Valley Road

Motion made by Mr. Inglis and seconded by Mr. Benner to adopt Resolution No. 2021-09 authorizing the Township Manager to submit all necessary documentation to PennDOT in order to secure the required approvals to modify the existing traffic signal at the intersection of Route 378 and Saucon Valley Road.

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 Mr. Inglis and seconded by Mr. Spaeth 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. Benner and seconded by Mr. Wagner 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.

Request For Payment – Main Street Improvements Project (Additional eastbound lane between northbound and southbound Route 309) – Certification No. 4

Motion made by Mr. Inglis and seconded Mr. Spaeth to authorize payment in the amount of \$182,812.70 to Northeast Site Contractors for work completed on the Main Street Improvements 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 January 6, 2021

The Board reviewed the following two appeals on the docket for the January 6, 2021 Zoning Hearing Board meeting:

- Appeal No. 2020-13 – The Special Exception application of Tree Trails Adventures to establish an aerial ropes course on the property at the southwest corner of Center Valley Parkway and Old Bethlehem Pike.
- Appeal No. 2020-14 – The application of Jeffrey and Heather Obrzut to convert an existing detached garage into an Integrated Family Dwelling Unit on the property at 3351 / 3361 Jacoby Road.

It was determined that Appeal No. 2020-14 concerning the property at 3351 / 3361 Jacoby Road involves a routine matter that can be handled by the Zoning Hearing Board without input from the Board of Supervisors.

A lengthy discussion ensued regarding Appeal No. 2020-13, the Special Exception application of Tree Trails Adventures.

Attorney Erich Schock and Andy Worthington were present on behalf of Tree Trails Adventures and addressed the Board regarding Appeal No. 2020-13. Messrs. Schock and Worthington described the ropes course and related improvements proposed on the property at the southwest corner of Center Valley Parkway and Old Bethlehem Pike. Attorney Schock said Tree Trails Adventures would be leasing the property from Lehigh University.

Messrs. Schock and Worthington responded to questions from Board members.

Mr. Worthington said he would work with Lehigh University to preserve and protect the historic resources on the property.

The Board discussed possible conditions that could be attached to any approvals granted by the Zoning Hearing Board relating to Appeal No. 2020-13.

The Board of Supervisors directed Township staff to prepare a list of reasonable conditions to be presented to the Zoning Hearing Board when the appeal of Tree Trails Adventures is considered. The Zoning Hearing Board would ultimately decide whether or not to attach the conditions to any approvals granted.

Request to increase Tax Collector's rate of compensation from \$3.25 per tax bill to \$3.75 per tax bill beginning January 1, 2022

Mr. Beil reviewed a request from Deborah Herstine, Township Tax Collector, to have the Tax Collector's rate of compensation increased from \$3.25 per tax bill to \$3.75 per tax bill. Mr. Beil said the earliest any such increase could go into effect would be January 1, 2022.

A discussion ensued concerning the merits of the Tax Collector's request.

The Board was generally in support of increasing the Tax Collector's rate of compensation to \$3.60 per tax bill, and the Township Manager was directed to place this matter on the next meeting agenda for formal action by the Board.

Procedure for reviewing proposals to lease Tumblebrook Golf Course and associated properties

Mr. Beil said proposals to lease the Tumblebrook Golf Course and associated properties are due on Friday, January 8, 2021. He expects the Township to receive at least two proposals and wanted to know the Board's preference for evaluating the proposals.

The Board referred this matter to the Park, Recreation and Open Space Committee. The Committee was tasked with reviewing the proposals and making a recommendation for consideration by the full Board.

Procedure for reviewing applicants for position of Assistant Director of Roads and Properties

Mr. Beil said nine applications have been received for the position of Assistant Director of Roads and Properties. He asked what level of involvement the Board wanted to have in reviewing and interviewing the applicants. He noted the final hiring decision would have to be made by the full Board.

The Board referred this matter to the Appointments Review Committee. The Township Manager will conduct the first round of interviews and the Committee will be involved in the second round of interviews. At the conclusion of the second interviews, the Committee will make a recommendation for consideration by the full Board.

ADDITIONAL BUSINESS

Mr. Spaeth suggested the Board consider establishing an Historic Advisory Committee made up of residents interested in identifying and preserving the Township's historic structures and assets.

Mr. Beil mentioned historic preservation typically falls under the purview of the Environmental Advisory Council.

The Board was in favor of getting the Environmental Advisory Council more involved with historic preservation efforts.

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize payment of the Prepaid Invoice List dated December 30, 2020 for Check Issue Dates 12/22/2020 – 12/31/2020 and Warrant Detail Invoice List dated December 31, 2020 for Report Date 1/4/2021.

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

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

At approximately 7:53 p.m., the Board met in Executive Session for the following reasons:

- To discuss a personnel matter involving employee compensation.
- To discuss strategy for negotiation of a new collective bargaining agreement with the Public Works Union.

At approximately 8:24 p.m., the Board returned from Executive Session.

Extension Agreement between Upper Saucon Township and the Municipal Workers of Upper Saucon Township

Motion made by Mr. Benner and seconded by Mr. Wagner to approve the Extension Agreement between Upper Saucon Township and the Municipal Workers of Upper Saucon Township whereby the parties agree to a one year extension of the most recent Collective Bargaining Agreement which extension shall commence January 1, 2021 and expire on December 31, 2021; and to authorize the Township Manager to execute said Extension Agreement on behalf of the Township.

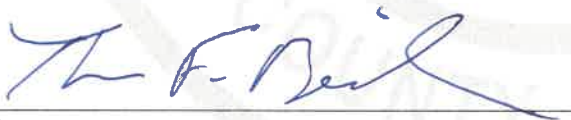
The motion was approved by a vote of 5 to 0.

ADJOURNMENT

Motion made by Mr. Benner 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 8:25 p.m.



Secretary