

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, May 10, 2021 – 6:30 P.M.
Township Municipal Building

Members Present: Brian J. Farrell, Chairman
Philip W. Spaeth, Vice Chairman
John G. Inglis, III
Dennis Benner
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, Police Chief
Chuck Castetter, Fire Chief

CALL TO ORDER

Chairman 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

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

NOTIFICATION

Chairman 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

Attorney Jeffrey Dimmich announced his retirement and said he enjoyed his time as Township Solicitor over the past 19 years. He listed some of the Township projects he worked on and how they resulted in positive outcomes for the Township. He said it was an honor to serve the Township in this capacity.

The Board thanked Attorney Dimmich for his many years of service to the Township and wished him a happy retirement.

Lynnette Saeger, Director of Southern Lehigh Public Library, thanked the Board for funding the Library's capital improvements program. She said the Library recently used some of these funds to purchase security cameras. In addition, she mentioned she was interested in learning more about the proposed YMCA project and exploring possible partnerships between the Library and YMCA.

Tammy Clemens, 6725 Blue Church Road South, brought the following issues and concerns to the Board's attention:

- Truck traffic and speeding vehicles on Blue Church Road South.
- Trucks running the red light at the intersection of Center Valley Parkway and Route 309.
- Loud booms in the Township and the need for a noise ordinance.
- Need for a dog park in the Township.

Ms. Clemmons had various questions concerning the proposed YMCA. She wanted to know where the YMCA would be located and whether resident discounts would be offered.

Mr. Beil said a dog park is probably several years away as the Township has just started the process of identifying possible sites. He also confirmed that the Township does not currently have a noise ordinance.

Chairman Farrell said issues regarding the proposed YMCA would be addressed later in the meeting.

PUBLIC HEARING TO CONSIDER REQUEST OF BELLA MIA ENTERPRISES, LLC FOR AN ECONOMIC DEVELOPMENT LIQUOR LICENSE

Chairman Farrell opened the hearing and asked Solicitor Dinkelacker to handle the proceedings.

Solicitor Dinkelacker briefly explained the purpose of the hearing and provided background information on the applicant's request for an economic development liquor license. He said any approval granted by the Board of Supervisors in this matter would be subject to final review and approval by the Pennsylvania Liquor Control Board.

Solicitor Dinkelacker introduced the following exhibits into the record.

- Exhibit T-1 - Complete copy of application submitted by Bella Mia Enterprises, LLC.
- Exhibit T-2 - Copy of public notice which was submitted to The Morning Call newspaper for publication on April 26, 2021 and May 3, 2021.
- Exhibit T-3 - Copy of actual public notices that appeared in The Morning Call newspaper on April 26, 2021 and May 3, 2021.

- Exhibit T-4 - Copy of the public notice which was posted on the property at 2880 Center Valley Parkway, Suite 602, Center Valley, PA 18034.
- Exhibit T-5 - Photograph of the public notice posted on the property at 2880 Center Valley Parkway, Suite 602, Center Valley, PA 18034.

Township Exhibits T-1 through T-5 were offered into evidence and admitted without objection.

AnnaMaria Mesiti was present on behalf of the applicant, Bella Mia Enterprises. Bella Mia Enterprises intends to operate a restaurant serving alcoholic beverages at 2880 Center Valley Parkway (Suite 602 of the Promenade Shops). She spoke in support of Bella Mia Enterprises' request for an economic development liquor license. She explained the proposed restaurant would create jobs, pay taxes and fill a vacant space at the Promenade Shops.

Ms. Mesiti introduced the following exhibits into the record:

- Exhibit A-1 - Draft menu for proposed restaurant at 2880 Center Valley Parkway, Suite 602, Center Valley, PA 18034.
- Exhibit A-2 - Menu for City Scenes restaurant which Ms. Mesiti previously operated.
- Exhibit A-3 - Menu for Bella Mia restaurant in Liberty, New York which Ms. Mesiti currently operates.
- Exhibit A-4 - Photos of 2880 Center Valley Parkway, Suite 602, Center Valley, PA 18034.
- Exhibit A-5 - Floorplans for proposed restaurant at 2882 Center Valley Parkway, Suite 602, Center Valley, PA 18034.

Applicant Exhibits A-1 through A-5 were offered into evidence and admitted without objection.

The Board members asked various questions to which Ms. Mesiti responded.

Solicitor Dinkelacker asked if anyone from the public wished to be heard.

Andre Gruszczynski (no address given) identified himself as a friend of the Mesiti family. He said the Board should be aware that Ms. Mesiti is moving her family to the Lehigh Valley because she loves it here.

Solicitor Dinkelacker closed the record.

Resolution No. 2021-18 – Approving request of Bella Mia Enterprises for an Economic Development Liquor License

Motion made by Mr. Inglis and seconded by Mr. Wagner to adopt Resolution No. 2021-18 conditionally approving the request of Bella Mia Enterprises, LLC for an economic development liquor license.

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

ORDINANCES

None

SUBDIVISIONS & LAND DEVELOPMENTS

None

MINUTES

Regular Meeting of April 12, 2021

Motion made by Mr. Spaeth and seconded by Mr. Benner to approve the minutes of the regular meeting of April 12, 2021.

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

RESOLUTIONS

None

MOTIONS

Lease Agreement with Greater Valley YMCA

David Fagerstrom, President of Greater Valley YMCA, gave a presentation regarding the YMCA branch facility proposed at the Township Community Park. The proposed facility would be located on the south side of Preston Lane, just west of the existing Library building. Mr. Fagerstrom explained how the site of the new YMCA was selected and described the services, programs and amenities that would be offered at the proposed facility. Floorplans and architectural renderings of the proposed facility were displayed.

Mr. Fagerstrom responded to questions posed by Board members and the general public.

Motion made by Mr. Wagner and seconded by Mr. Benner to approve the Lease Agreement with the Greater Valley YMCA whereby the Township agrees to lease a portion of the Community Park at 3200 Preston Lane to the Greater Valley YMCA to accommodate the construction of a YMCA branch facility; and to authorize the Township Manager to execute said Lease Agreement on behalf of the Township.

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

Appointment of Township Solicitor

Motion made by Mr. Benner and seconded by Mr. Inglis to appoint the law firm of Norris McLaughlin, P.A., of Allentown, Pennsylvania, as Township Solicitor, effective May 19, 2021, and to approve the fee agreement effective that date, and to authorize the Township Manager to execute said agreement on behalf of the Board.

Attorney Dinkelacker said he is switching law firms from Dimmich and Dinkelacker to Norris McLaughlin but he expects the transition to be seamless.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

Proposal by Upper Saucon Volunteer Fire Department to end existing Length of Service Awards Program (LOSAP) and implement a new Pay-Per-Call Program as a way to recruit volunteer firefighters

Mr. Beil briefly reviewed a proposal by the Volunteer Fire Department to end the current LOSAP program and implement a new pay-per-call program. It is anticipated the new pay-per-call program will prove to be a more effective tool for recruiting volunteer firefighters.

Jon Meaney, Second Assistant Chief of the Volunteer Fire Department, described the details of the proposed pay-per-call program. This type of program rewards the volunteer directly based on their participation. Mr. Meaney said the Fire Department recognizes that the existing LOSAP program needs to be closed out before the new pay-per-call program goes into effect.

Mr. Meaney responded to questions posed by Supervisors Farrell, Spaeth and Wagner.

Mr. Beil said funding both the LOSAP program and the proposed pay-per-call program would put too much of a strain on the Township's finances.

It was the consensus of the Board to refer this matter to the Administration and Finance Committee for further analysis. At an appropriate time in the future, the Committee will present its findings and recommendations to the full Board.

Cancellation of Board of Supervisors meeting scheduled for May 24, 2021 due to lack of agenda items

It was the consensus of the Board to cancel the meeting originally scheduled for May 24, 2021.

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize payment of the Prepaid Invoice List Dated May 7, 2021 for Check Issue Dates: 4/27/2021 – 5/7/2021 and Warrant Detail Invoice List dated May 7, 2021 for Report Dates: 4/27/2021 – 5/10/2021.

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

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

At approximately 7:55 p.m., the Board met in Executive Session to discuss the following:

- Personnel matter involving employee compensation.
- Possibility of Township acquiring an interest in real property.
- Pending litigation against the Township filed by Kay Lehigh, LLC regarding the Township's denial of Kay Lehigh's Curative Amendment.

The Board returned from Executive Session at approximately 9:06 p.m.

ADDITIONAL BUSINESS

Appointment of Police Office Manager

Motion made by Mr. Spaeth and seconded by Mr. Benner to appoint Kelly Yonkovitch as Police Office Manager with a starting pay rate of \$27.95 per hour, effective May 23, 2021.

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

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 9:09 p.m.



Secretary