

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, August 23, 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
Thomas Dinkelacker, Township Solicitor
Charles Unangst, P.E., Township Engineer
Patricia Lang, Director of Community Development
Patrick Leonard, Communications Coordinator

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

Paul Madiara, 1515 Spring Valley Road, said he wanted to bring to the attention of the Board a letter he received regarding commercial wells being developed on the Saucon Valley Country Club property. He provided a copy of the letter to the Supervisors for their information and review. He expressed concern that the wells under development at the Country Club might run his and his neighbors’ wells dry. He asked for the Board’s support in trying to get the Country Club to put the well development project on hold so he has more time to get his questions and concerns addressed.

Mr. Beil informed Mr. Madiara that the Township does not regulate wells, and he should contact the Pennsylvania Department of Environmental Protection.

Rich Brahler, 1493 Spring Valley Road, had concerns similar to Mr. Madiara regarding the wells being developed at the Saucon Valley Country Club. He said he just recently became aware of the well development project at the Country Club and wanted more time to do due diligence to verify that the proposed wells will not negatively impact his and his neighbors' wells.

Patty Flynn Brahler, 1493 Spring Valley Road, expressed concerns with the well development project at the Saucon Valley Country Club. She questioned what her recourse would be if her well was negatively impacted by the proposed wells at the Country Club. She also presented a letter from her neighbors, Brian and Heidi Kane of 1471 Spring Valley Road, expressing similar concerns about the Country Club well development project. She wanted to make sure the Township was aware of the situation.

RESOLUTION NO 2021-26 – RECOGNITION OF CONNOR A. MCCORMICK FOR ATTAINING THE RANK OF EAGLE SCOUT

Motion made by Mr. Benner and seconded by Mr. Inglis to adopt Resolution No. 2021-26 recognizing Connor A. McCormick for the tremendous honor he has brought his family, Boy Scout Troop and community by attaining the rank of Eagle Scout.

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

PRESENTATION BY MARK ZETTMLOYER OF RKL, LP – 2020 ANNUAL AUDIT OF TOWNSHIP ACCOUNTS

Mark Zettlemoyer of RKL, LLP provided an overview of the 2020 Annual Audit of Township accounts.

James Largay, 4344 Allegiant Steet, identified himself as the Chairman of the Board of Elected Auditors. He offered his observations and suggestions concerning the 2020 Audit. He found it odd the Audit made no reference to the pandemic and its impact on the Township's finances. He noted the Management Discussion and Analysis section of the Audit is lacking in meaningful analysis. He said his comments and suggestions were aimed at making the Audit more useful.

PRESENTATION BY APRIL SHOWERS OF JMT, INC. – DRAFT 2021 COMPREHENSIVE PLAN

April Showers of JMT, Inc. provided an overview of the draft 2021 Comprehensive Plan.

Ms. Showers responded to questions and comments from Board members.

George Bloeser, 6500 Limeport Pike, inquired if the Board members received the Township Planning Commission's written comments on the draft Comprehensive Plan. Trisha Lang,

Director of Community Development, verified that the comments had indeed been provided to the Board.

Mr. Bloeser wanted to make sure the Supervisors had an opportunity to review and consider the Planning Commission's comments on the draft Comprehensive Plan.

Mr. Wagner inquired about the process for approving the draft Comprehensive Plan. Solicitor Dinkelacker outlined the review and approval process.

The Board will consider approving the Comprehensive Plan sometime in January or February of 2022.

SUBDIVISIONS & LAND DEVELOPMENTS

Bartakovits / Nielson Lot Line Adjustment Plan – Resolution No. 2021-25

Motion made by Mr. Spaeth and seconded by Mr. Wagner to adopt Resolution No. 2021-25 conditionally approving the Preliminary / Final Lot Line Adjustment Plan of JAO Lehigh, LLC and Niels and Enid Nielson to adjust certain lot lines between the properties at 1960 and 2080 Stonesthrow Road.

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

MINUTES

Regular Meeting of May 10, 2021

Motion made by Mr. Inglis and seconded by Mr. Benner to approve the minutes of the regular meeting of May 10, 2021.

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

Regular Meeting of June 14, 2021

Motion made by Mr. Inglis and seconded by Mr. Wagner to approve the minutes of the regular meeting of June 14, 2021.

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

ORDINANCES

Proposed Ordinance No. 67-ZZ – Establishing Four-Way Stop at Saucon Ridge Road and Majestic Drive

Motion made by Mr. Inglis and seconded by Mr. Benner to adopt proposed Ordinance No. 67-ZZ establishing a four-way stop at the intersection of Saucon Ridge Road and Majestic Drive.

Mr. Spaeth said he visited the intersection and does not feel comfortable moving ahead with the proposed four-way stop at this time. He noted construction is taking place near the

intersection and it appears a large pile of dirt could be obstructing the line of sight. He suggested the line of sight issue would likely be corrected once the construction is finished.

Mr. Spaeth questioned whether a four-way stop is warranted at this intersection.

Mr. Unangst reviewed the traffic study that supports the four-way stop.

A discussion ensued among the Board members as to whether a four-way stop is appropriate at this intersection.

Mr. Wagner suggested tabling action on this matter so the Board members can visit the intersection.

Mr. Inglis withdrew his motion to approve proposed Ordinance No. 67-ZZ and Mr. Benner withdrew his second to the motion.

Mr. Wagner made a motion to table action on proposed Ordinance No. 67-ZZ until the November 8, 2021, Board of Supervisors meeting in order to allow the Board more time to review the safety aspects of the intersection in question. The motion was seconded by Mr. Spaeth.

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

RESOLUTIONS

None

MOTIONS

Right-Of-Way Encroachment Agreement – Spring Valley Tavern – 1355 Station Avenue
Motion made by Mr. Inglis and seconded by Mr. Benner to approve the Encroachment Agreement with Four Stooges, LLC which would allow an existing fence to remain within the Township right-of-way of Franklin 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.

License Agreement for Saucon Rail Trail Pedestrian Bridge Over Preston Lane
Motion made by Mr. Benner and seconded by Mr. Wagner to approve the Rail Trail Pedestrian Bridge License Agreement between the Township and DeSales University whereby the Township will allow the University to locate a gateway sign on the proposed Pedestrian Bridge over Preston Lane and the University will make a contribution to the Township to help defray the cost of constructing the proposed Pedestrian Bridge; 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.

Consent and Authorization for Solicitor to Represent the Township in Legal Matters Involving the Greater Valley YMCA

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize the continued representation of the Township by the Solicitor, Norris McLaughlin, P.A., and particularly, Thomas Dinkelacker, in connection with the proposed lease of land to the Greater Valley YMCA and subsequent land development for a branch facility to be located in the Township based upon Mr. Dinkelacker's letter, dated August 11, 2021, explaining and disclosing his conflict of interest as a member of the Board of Directors of the Greater Valley YMCA.

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

Release of Funds – Traditions of America at Locust Valley – Security Release Request 1

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize the release of construction security in the amount of \$2,116,678.11 for Traditions of America at Locust Valley in accordance with the Township Engineer's recommendation made by letter dated August 18, 2021.

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

Request for Payment – Route 309 and Lanark Road Intersection Improvements Project – Certification No. 3

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize payment in the amount of \$97,545.92 to Blooming Glen Contractors for work completed on the Route 309 and Lanark Road Intersection Improvements Project.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

None

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Wagner and seconded by Mr. Benner to authorize payment of the Prepaid Invoice List Dated August 20, 2021, for Check Issue Dates 7/13/2021 – 8/31/2021 and Warrant Detail Invoice List dated August 20, 2021, for Report Date 8/23/2021.

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

ADDITIONAL BUSINESS

Mr. Spaeth inquired about the status of the Chestnut Hill Road project. Mr. Unangst provided an update on the project noting that the contractor initially had difficulties obtaining materials such as pipe, but those issues now seem to be resolved. Mr. Unangst said the project should be finished in about a month.

COURTESY OF THE FLOOR

Diane Elliot, 1539 Spring Valley Road, supports her neighbors with their concerns regarding the wells at the Saucon Valley Country Club. She hopes the Township and Board will be informed of the results of the well impact report. She said it's a huge problem that we didn't know anything about the wells until the very end of the process.

George Bloeser, 6500 Limeport Pike, said the Comprehensive Plan Steering Committee should be given an opportunity to review the comments received from the Lehigh Valley Planning Commission, Southern Lehigh School District and adjacent municipalities relative to the draft Comprehensive Plan. This review should take place prior to the Board of Supervisors taking a vote to approve the Comprehensive Plan.

EXECUTIVE SESSION

None

ADJOURNMENT

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

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

The meeting was adjourned at approximately 7:50 p.m.



Secretary