

MINUTES

Upper Saucon Township Board of Supervisors
Special Meeting
Friday, July 30, 2021 – 1:30 P.M.
Township Municipal Building

Members Present: Brian J. Farrell, Chairman
Philip W. Spaeth, Vice Chairman
John G. Inglis, III
Stephen Wagner

Members
Participating
Via Speakerphone: Dennis Benner

Staff Attending: Thomas F. Beil, Township Manager
Joseph Geib, Assistant Township Manager
Thomas Dinkelacker, Township Solicitor
Patricia Lang, Director of Community Development
Patrick Leonard, Special Projects Coordinator

CALL TO ORDER

Chairman Farrell called the meeting to order at 1:35 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

None

PROPOSED ORDINANCE NO. 173 – OPEN SPACE REFERENDUM QUESTION

Motion made by Mr. Wagner and seconded by Mr. Spaeth to adopt proposed Ordinance No. 173 providing for a question to be placed before the voters of Upper Saucon Township by a referendum at the General Election of November 2, 2021 asking whether the voters of Upper Saucon Township favor the imposition of an additional Earned Income Tax at the rate of 0.10% in order to provide funds for the Township to acquire and preserve open space lands.

Chairman Farrell cautioned that the Board might be making an uninformed decision concerning the proposed Ordinance because the process was rushed to meet advertising deadlines. He expressed various concerns with the proposed Ordinance and questioned whether the new tax was really needed, given the Township's past success at funding open space and recreation projects through existing revenue sources. He also noted the proposed Ordinance would unfairly place the financial burden of preserving open space entirely on wage earners. He mentioned he was 100% in favor of preserving open space, just not through this process. He suggested sending the proposed Ordinance to Committee where it can be evaluated more thoroughly.

Supervisor Wagner pointed out the only issue before the Board today is whether to place the referendum question before the voters. The Board is not making a decision to actually impose an open space tax.

Supervisor Spaeth said this issue is ultimately for the residents to decide, not the Board. He would be comfortable living with whatever decision the residents make. Over the years, many residents have asked the Supervisors to do whatever they can to preserve open space and the referendum question would give residents an opportunity to voice their opinion on this issue.

Supervisor Inglis noted the recent Recreation and Open Space Plan identified open space preservation as the number one priority for the Township. He was of the opinion that the new tax would allow the Township to preserve more open space. He spoke in favor of letting the voters decide. He noted the average household in the Township would pay an additional \$104 per year under the new tax which is a small price to pay for preserving open space.

A lengthy discussion ensued concerning how the funds generated by the tax can be spent and the process for discontinuing the tax.

Chairman Farrell invited the public to comment on the proposed Ordinance. Public comment is summarized as follows:

Lloyd Ohl, 6113 Limeport Pike, questioned whether there might be other ways to generate funds for open space, rather than taxing wage earners.

Saralyn Foley, 7510 Pheasant Drive, had several questions regarding the proposed Ordinance and how funds generated by the tax could be used. Solicitor Dinkelacker responded to her

questions. She mentioned past surveys showed strong support for increasing taxes to fund open space preservation.

Tim Foley, 7510 Pheasant Drive, said the Board should look at properties it wants to preserve and have a plan to spend the money generated by the tax.

Brad Hetrich, 3742 Clover Drive, is split on this issue because he agrees with some of the things Mr. Farrell said but also agrees with some of the things the other Board members said. He mentioned he conducted an informal survey which showed 53% of respondents were in favor of increasing taxes to preserve open space, 19% were against increasing taxes to preserve open space and 28% wanted more information. He is glad this issue is coming up so the information can get out there to the residents.

Mr. Hetrich wanted to know if there was a way to shift funding for open space from residents to developers. Solicitor Dinkelacker said there was no legal way to do that, however, he clarified developers are required to pay a recreation fee.

Fran Maurer, 6801 Wards Lane, had various questions regarding open space funding and purchases. Messrs. Dinkelacker and Beil responded to Ms. Maurer's questions. She said the Township needs money now to preserve open space before it's all gone.

Ms. Maurer wanted to know why today's meeting was scheduled for 1:30 in the afternoon. Mr. Beil explained the Board had a very limited window of time to take action on the proposed Ordinance due to advertising and election deadlines.

Ms. Maurer wanted to know how the referendum question will be advertised. Mr. Beil responded to her question and explained the advertising process. Ms. Maurer suggested using Pennypower, Nextdoor, Facebook, yard signs and word of mouth to inform residents about the referendum question.

Geraldine Davies, 5468 Glen Road, said the road crew did a wonderful job paving Glen Road and correcting the drainage problems. She was in favor of putting the referendum question on the ballot for the November general election rather than the May primary election because there will be a greater turnout for the general election. She said the Board's only job is to get the open space question on the ballot and it will be up to the voters to decide. She spoke in favor of preserving farmland, noting that once farmland is gone it's gone for good. She warned school taxes will go up if the Township fails to preserve open space.

Tim Foley, 7510 Pheasant Drive, had various questions regarding the amount of funds generated by the tax and the decision to set the tax rate at 0.10%. Messrs. Beil and Farrell responded to Mr. Foley's questions.

Samantha Falcone, 3515 Sunnyside Road, said the tax would give the Township one more tool to preserve open space. She spoke in support of the Township educating the public on the referendum and open space issues.

Mr. Wagner said it was important for the Township to remain neutral on the open space referendum question, rather than taking a position either for or against.

A roll call vote was ordered, and the vote was as follows:

Supervisor Benner	Yes
Supervisor Inglis	Yes
Supervisor Wagner	Yes
Supervisor Spaeth	Yes
Supervisor Farrell	Yes

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

COURTESY OF THE FLOOR

Saralyn Foley, 7510 Pheasant Drive, wanted clarification on who would pay the open space tax. Solicitor Dinkelacker said wage earners who live in the Township would pay the tax.

ADJOURNMENT

Motion made by Mr. Spaeth 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 2:55 p.m.



T. F. Beil

Secretary