

## MINUTES

Upper Saucon Township Board of Supervisors  
Regular Meeting  
Monday, December 19, 2022 – 6:30 P.M.  
Township Municipal Building

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

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  
Thomas Nicoletti, Chief of Police

Participating  
Via Speakerphone: Attorney Daniel Cohen, Township Legal Consultant

### 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

Brian Jeter, Senior Director of Government Affairs for Comcast, respectfully asked the Board to approve the Cable Franchise Agreement between Comcast and the Township. Approval of the Cable Franchise Agreement is necessary in order for Comcast to bring its

products and services to Township residents and businesses. He thanked the Board and said he was available to answer questions.

The Board members had various questions to which Mr. Jeter responded.

**POLICE CHIEF THOMAS NICOLETTI – INTRODUCE K-9 RUBY AND HER HANDLER OFFICER SULESKI**

Chief Nicoletti introduced both Ruby, the Police Department's newest K-9 Officer, and Officer Scott Suleski, Ruby's handler. He provided a brief history of the Police Department's K-9 program and thanked the Board for supporting the program.

Officer Suleski described the unique tasks K-9 Ruby can perform and how those tasks benefit the Police Department. In addition, he highlighted some of the specialty equipment related to the K-9 program.

Chief Nicoletti and Officer Suleski responded to questions from Messrs. Spaeth and Beil.

Chief Nicoletti said he would continue to update the Board on the activities of Ruby and Officer Suleski as the K-9 program progresses.

**SUBDIVISIONS & LAND DEVELOPMENTS**

**Till Lot Line Adjustment Plan – Resolution No. 2022-30**

Motion made by Mr. Inglis and seconded by Mr. Benner to adopt Resolution No. 2022-30 conditionally approving the Preliminary / Final Lot Line Adjustment Plan of Martin and Tiffany Till to consolidate two existing lots at 4920 and 4992 Saint Joseph's Road into a single lot.

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

**Good Shepherd Rehabilitation Hospital – Revised Preliminary / Final Land Development Plan – Resolution No. 2022-31**

Motion made by Mr. Spaeth and seconded by Mr. Benner to approve Resolution No. 2022-31 conditionally approving the Revised Preliminary / Final Land Development Plan of Good Shepherd Rehabilitation Network to add a healing garden at the northeast corner of the property at 3200 Center Valley Parkway.

Jaspreet Bhullar of Pennoni Associates was present on behalf of Good Shepherd. She asked the Board to table this matter until next month. She said she would like additional time to have discussions with the Zoning Officer regarding his review comments. She mentioned the Plan could change depending on the outcome of those discussions.

In light of Ms. Bhullar's request, Supervisor Spaeth agreed to withdraw his motion approving Resolution No. 2022-31 and Supervisor Benner agreed to withdraw his second.

Motion made by Mr. Spaeth and seconded by Mr. Benner to table Resolution No. 2022-31.

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

## **MINUTES**

### **Regular Meeting of September 12, 2022**

Motion made by Mr. Inglis and seconded by Mr. Spaeth to approve the minutes of the regular meeting of September 12, 2022.

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

### **Regular Meeting of September 26, 2022**

Motion made by Mr. Benner and seconded by Mr. Inglis to approve the minutes of the regular meeting of September 26, 2022.

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

## **ORDINANCES**

### **Proposed Ordinance No. 178 – Cable Franchise Agreement with Comcast of Southeast Pennsylvania**

Participating via speakerphone was the Township's legal consultant, Attorney Daniel Cohen of the Cohen Law Group.

Motion made by Mr. Spaeth and seconded by Mr. Benner to adopt proposed Ordinance No. 178 approving the Cable Franchise Agreement with Comcast of Southeast Pennsylvania.

The Board members had various questions regarding the proposed Ordinance to which Mr. Beil and Attorney Cohen responded.

Mr. Beil noted that Attorney Cohen's firm represented the Township in negotiations with Comcast and prepared the Cable Franchise Agreement currently under consideration.

Mr. Spaeth asked Attorney Cohen if the Township should be auditing the cable companies to make sure the fees are being collected properly. Attorney Cohen recommended doing franchise fee audits on a regular basis.

Chairman Farrell asked if anyone from the public wished to comment on the proposed Ordinance. There was no response.

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

## RESOLUTIONS

### Resolution No. 2022-32 – Approving Township Participation in PennDOT’s dotGrants OnLine Reporting System

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt Resolution No. 2022-32 approving the Township’s participation in PennDOT’s dotGrants on-line reporting system, and authorizing the Township Manager and Assistant Township Manager to take those actions necessary to enroll the Township in the dotGrants on-line reporting system.

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

### Resolution No. 2022-33 – Adoption of 2023 Township Budget

Motion made by Mr. Spaeth and seconded by Mr. Wagner to adopt Resolution No. 2022-33 approving the 2023 Township Budget.

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

### Resolution No. 2022-34 – 2023 Tax Levy

Motion made by Mr. Inglis and seconded by Mr. Benner to adopt Resolution No. 2022-34 fixing the real estate tax rate and fire hydrant tax rate for the year 2023.

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

### Resolution No. 2022-35 – 2023 Pay Plan for Non-Represented Employees

Motion made by Mr. Benner and seconded by Mr. Inglis to adopt Resolution No. 2022-35 establishing the 2023 Pay Plan for non-represented employees of the Township.

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

### Resolution No. 2022-36 - Non-Uniformed Employees’ Pension Plan Contribution

Motion made by Mr. Inglis and seconded by Mr. Wagner to adopt Resolution No. 2022-36 requiring participants of the Non-Uniformed Employees’ Pension Plan to make a mandatory contribution to the Non-Uniformed Employees’ Pension Fund for the year 2023.

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

### Resolution No. 2022-37 – Police Pension Plan Contribution

Motion made by Mr. Inglis and seconded by Mr. Spaeth to adopt Resolution No. 2022-37 requiring participants of the Police Pension Plan to make a mandatory contribution to the Police Pension Fund for the year 2023.

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

Resolution No. 2022-38 – Grant Application for North Branch Sewer Interceptor Extension Project

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt Resolution No. 2022-38 authorizing the submission of a grant application to the Commonwealth Financing Authority for the purpose of obtaining funding for the North Branch Sewer Interceptor Extension Project.

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

Resolution No. 2022-39 – Grant Application for Vera Cruz Road Water Main Replacement Project

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt Resolution No. 2022-39 authorizing the submission of a grant application to the Commonwealth Financing Authority for the purpose of obtaining funding for the Vera Cruz Road Water Main Replacement Project

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

MOTIONS

Police Collective Bargaining Agreement

Motion made by Mr. Wagner and seconded by Mr. Inglis to ratify the Collective Bargaining Agreement between Upper Saucon Township and the Upper Saucon Township Police Officers Association for the contract term of January 1, 2023 through December 31, 2026; 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.

Release of Funds - Estates at Saucon Valley Subdivision – Security Release Request 12

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize the release of construction security in the amount of \$109,874.05 for the Estates at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated December 5, 2022.

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

Release of Funds – Provco Pinegood Coopersburg (Wawa Project) – Security Release Request 8

Motion made by Mr. Benner and seconded by Mr. Wagner to authorize the release of construction security in the amount of \$65,296.44 for the Wawa land development project in accordance with the Township Engineer's recommendation made by letter dated December 5, 2022.

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

Release of Funds – Provco Pinegood Coopersburg (McDonald's Restaurant Project) – Security Release Request 4

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize the release of construction security in the amount of \$3,605.79 for the McDonald's Restaurant land development project in accordance with the Township Engineer's recommendation made by letter dated December 5, 2022.

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

Release of Funds – Good Shepherd Rehabilitation Hospital – Security Release Request 4

Motion made by Mr. Inglis and seconded by Mr. Wagner to authorize the release of construction security in the amount of \$324,667.15 for the Good Shepherd Rehabilitation Hospital Project in accordance with the Township Engineer's recommendation made by letter dated December 9, 2022.

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

Award Bid – Fertilizer, Weed Prevention and Pest Control Applications at Township Parks

Motion made by Mr. Spaeth and seconded by Mr. Inglis to award the bid for fertilizer, weed prevention and pest control applications at the Township Parks to DeAngelo Contracting Services for a total bid price of \$30,696.00.

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

**CORRESPONDENCE & INFORMATION ITEMS**

Chairman Farrell announced the Board of Supervisors Reorganization Meeting will be held on Tuesday, January 3, 2023 at 6:30 p.m.

**DIRECTION / DISCUSSION ITEMS** 743

None

**BILLS, PAYROLL, AND COMMISSIONS**

Motion made by Mr. Benner and seconded by Mr. Wagner to authorize payment of the Prepaid Invoice List Dated December 16, 2022 for Check Issue Dates: 11/22/2022 – 12/31/2022 and Warrant Detail Invoice List dated December 16, 2022 for Report Date: 12/19/2022.

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

**ADDITIONAL BUSINESS**

None



### COURTESY OF THE FLOOR

Sergeant Chris Kuebler, Vice President of the Police Association, thanked the Board for approving the Police Collective Bargaining Agreement.

### EXECUTIVE SESSION

At approximately 7:11 p.m., the Board met in Executive Session to consider the purchase of real estate.

At approximately 8:22 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 8:22 p.m.

  
Secretary