

## **MINUTES**

Upper Saucon Township Board of Supervisors  
Reorganization Meeting  
Monday, January 3, 2022 – 6:30 P.M.  
Township Municipal Building

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

Members Absent: Dennis Benner

Staff Attending: Thomas F. Beil, Township Manager  
Joseph Geib, Assistant Township Manager  
David Berger, Township Solicitor  
Charles Unangst, P.E., Township Engineer  
Patricia Lang, Director of Community Development  
Patrick Leonard, Special Projects 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.

### **REORGANIZATION OF THE BOARD OF SUPERVISORS**

#### **Appoint Temporary Chairperson**

Motion made by Mr. Inglis and seconded by Mr. Spaeth to appoint Attorney David C. Berger as Temporary Chairperson for the purpose of conducting the election of Chairperson.

The motion was approved by a vote of 4 to 0.

Elect Chairperson

Attorney Berger asked for nominations for the position of Chairperson of the Board of Supervisors.

Motion made by Mr. Spaeth 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 Berger called for the vote.

The motion was approved by a vote of 4 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. Inglis and seconded by Mr. Wagner 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 4 to 0.

Appoint Township Secretary

Motion made by Mr. Wagner and seconded by Mr. Inglis to appoint Thomas F. Beil as Township Secretary.

The motion was approved by a vote of 4 to 0.

Appoint Township Treasurer

Motion made by Mr. Inglis and seconded by Mr. Spaeth to appoint Joseph L. Geib as Township Treasurer

The motion was approved by a vote of 4 to 0.

Appoint Assistant Township Secretary

Motion made by Mr. Wagner and seconded by Mr. Inglis to appoint Joseph L. Geib as Assistant Township Secretary.

The motion was approved by a vote of 4 to 0.

Appoint Assistant Township Treasurer

Motion made by Mr. Wagner and seconded by Mr. Inglis to appoint Thomas F. Beil as Assistant Township Treasurer.

The motion was approved by a vote of 4 to 0.

**PUBLIC COMMENT**

None

**REORGANIZATION BUSINESS**

Motion by Mr. Wagner and seconded by Mr. Spaeth to take the following actions with respect to items 6a through 6k as listed on the meeting agenda:

6a - Establish the Treasurer's Bond for the year 2022 at \$2,000,000.00.

6b - Establish the Assistant Treasurer's Bond for the year 2022 at \$2,000,000.00.

6c - Adopt Resolution No. 2022-01 approving QNB Bank as depository for Township funds for the year 2022.

6d - Reappoint the law firm of Norris McLaughlin, P.A., as Township Solicitor and to compensate the Township Solicitor for services rendered in accordance with the fee agreement between Norris McLaughlin, P.A., and the Board of Supervisors effective May 19, 2021.

6e - 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 2022 Professional Fee Schedule included with Mr. Unangst's letter of December 8, 2021.

6f - Reappoint 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, 2022, as provided by Wynn Associates, Inc.

6g - Appoint Jacob A. Schray (SEO #03134), Christopher A. Taylor (SEO #03138), Scott J. Brown (SEO #01716), Luke E. Eggert (SEO #04090) and Justin P. Robbins (SEO #04079) 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.

6h - Reappoint Hydro-Terra Group as the Township Geotechnical Consultant and to compensate the Township Geotechnical Consultant for services rendered in accordance with the 2022 Geotechnical Services Rate Schedule included with Nikole Brown's letter of December 21, 2021.

6i - Adopt Resolution No. 2022-02 appointing the accounting firm of RKL, LLP to perform the 2021 annual financial audit of Township accounts.

6j - 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.

6k - 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 4 to 0.

#### Appointments/Reappointments to Boards and Commissions

##### Vacancy Board

Motion made by Mr. Inglis and seconded by Mr. Spaeth to reappoint Richard M. Nelson to the Upper Saucon Township Vacancy Board for a one year term expiring on December 31, 2022.

The motion was approved by a vote of 4 to 0.

##### Police Pension Committee

Motion made by Mr. Inglis and seconded by Mr. Wagner to appoint Dennis Benner, Philip Spaeth and Dane Carroll to the Upper Saucon Township Police Pension Committee for the 2022 calendar year.

The motion was approved by a vote of 4 to 0.

##### Non-Uniformed Employees' Pension Committee

Motion made by Mr. Wagner and seconded by Mr. Inglis to appoint Thomas E. Young, Robert Tierney and Philip Spaeth to the Upper Saucon Township Non-Uniformed Employees' Pension Committee for the 2022 calendar year.

The motion was approved by a vote of 4 to 0.

##### Municipal Authority/Sewage Treatment Authority

Motion made by Mr. Wagner and seconded by Mr. Inglis to reappoint Ryan Holmes to the Board of Directors of the Municipal Authority and Sewage Treatment Authority for a five year term expiring on December 31, 2026.

The motion was approved by a vote of 4 to 0.

Municipal Authority/Sewage Treatment Authority – Accept Resignation of Current Member and Appoint New Member

Motion made by Mr. Wagner and seconded by Mr. Spaeth to accept the resignation of Ronald Reybitz from the Board of Directors of the Municipal Authority and Sewage Treatment Authority effectively immediately.

The motion was approved by a vote of 4 to 0.

Motion made by Mr. Inglis and seconded by Mr. Wagner to appoint Zachary Karasek to the Board of Directors of the Municipal Authority and Sewage Treatment Authority for a partial term expiring on December 31, 2024.

The motion was approved by a vote of 4 to 0.

Zoning Hearing Board Alternate – Accept Resignation of Current Member and Appoint New Member:

Motion made by Mr. Wagner and seconded by Mr. Inglis to accept the resignation of Zachary Karasek as an Alternate Member of the Zoning Hearing Board effective immediately.

The motion was approved by a vote of 4 to 0.

Motion made by Mr. Inglis and seconded by Mr. Wagner to appoint Kenneth (Casey) Schlegel as an Alternate Member of the Zoning Hearing Board for a partial term expiring on December 31, 2022.

The motion was approved by a vote of 4 to 0.

Uniform Construction Code Board of Appeals

Motion made by Mr. Inglis 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, 2022.

The motion was approved by a vote of 4 to 0.

Uniform Construction Code Board of Appeals

Motion made by Mr. Inglis and seconded by Mr. Spaeth to reappoint Jim Hall-Yurasits to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2022.

The motion was approved by a vote of 4 to 0.

Uniform Construction Code Board of Appeals

Motion made by Mr. Wagner and seconded by Mr. Inglis to appoint Tony Caciolo to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2022.

The motion was approved by a vote of 4 to 0.

Zoning Hearing Board

Motion made by Mr. Wagner and seconded by Mr. Inglis to adopt Resolution No. 2022-03 reappointing James Rouland as a Regular Member of the Zoning Hearing Board for a three year term expiring on December 31, 2024.

The motion was approved by a vote of 4 to 0.

Park & Recreation Commission

Motion made by Mr. Inglis and seconded by Mr. Wagner to reappoint Kimberly Stehlik to the Park and Recreation Commission for a five year term expiring on December 31, 2026.

The motion was approved by a vote of 4 to 0.

Planning Commission – Accept Resignation of Current Member And Appoint New Member

Motion made by Mr. Inglis and seconded by Mr. Wagner to accept the resignation of Roderick Chirumbolo from the Planning Commission effective immediately.

The motion was approved by a vote of 4 to 0.

Motion made by Mr. Inglis and seconded by Mr. Spaeth to appoint John Zelena to the Planning Commission for a partial term expiring on December 31, 2024.

The motion was approved by a vote of 4 to 0.

Planning Commission

Motion made by Mr. Inglis and seconded by Mr. Wagner to reappoint Antonio Roman, Jr., to the Planning Commission for a four year term expiring on December 31, 2025.

The motion was approved by a vote of 4 to 0.

Planning Commission

Motion made by Mr. Spaeth and seconded by Mr. Wagner to appoint Diana Inglis to the Planning Commission for a four year term expiring on December 31, 2025.

The motion was approved by a vote of 3 in favor, none against and 1 abstention. Supervisor Inglis abstained from voting.

Saucon Rail Trail Oversight Commission

Motion made by Mr. Inglis and seconded by Mr. Spaeth to appoint Eric Bartosz to the Saucon Rail Trail Oversight Commission for a four year term expiring on December 31, 2025.

The motion was approved by a vote of 4 to 0.

Library Board of Directors

Motion made by Mr. Inglis and seconded by Mr. Wagner to reappoint Bruce Eames to the Southern Lehigh Public Library Board of Directors for a three year term expiring on December 31, 2024.

The motion was approved by a vote of 4 to 0.

Library Board of Directors

Motion made by Mr. Spaeth and seconded by Mr. Wagner to appoint John Schubert to the Southern Lehigh Public Library Board of Directors for a three year term expiring on December 31, 2024.

The motion was approved by a vote of 4 to 0.

Environmental Advisory Council

Motion made by Mr. Inglis and seconded by Mr. Spaeth to reappoint Thomas L. Gettings to the Environmental Advisory Council for a three year term expiring on December 31, 2024.

The motion was approved by a vote of 4 to 0.

Designate Chairperson of Environmental Advisory Council

Motion made by Mr. Inglis and seconded by Mr. Spaeth to designate Thomas L. Gettings as Chairperson of the Upper Saucon Township Environmental Advisory Council for the year 2022.

The motion was approved by a vote of 4 to 0.

Zoning Hearing Board Alternate

Motion made by Mr. Wagner and seconded by Mr. Inglis to appoint Timothy Foley as an Alternate Member of the Zoning Hearing Board for a partial term expiring December 31, 2022.

The motion was approved by a vote of 4 to 0.

Establish 2022 Regular Meeting Schedule

Motion made by Mr. Spaeth and seconded by Mr. Inglis to approve the following regular meeting schedule for 2022:

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 3, 2022 (Reorg.)

Monday, January 24, 2022

Monday, February 14, 2022

Monday, February 28, 2022

Monday, March 14, 2022

Monday, March 28, 2022

Monday, April 11, 2022

Monday, April 25, 2022

Monday, May 9, 2022

Monday, May 23, 2022

Monday, June 13, 2022

Monday, June 27, 2022

Monday, July 11, 2022

Monday, July 25, 2022

Monday, August 8, 2022

Monday, August 22, 2022

Monday, September 12, 2022

Monday, September 26, 2022

Monday, October 10, 2022

Monday, October 24, 2022

Monday, November 14, 2022

\*\*Monday, November 21, 2022

Monday, December 12, 2022

\*\*Monday, December 19, 2022

\*1<sup>st</sup> Monday of month

\*\*3<sup>rd</sup> Monday of the month

Note: Special meetings will be scheduled when needed.

The motion was approved by a vote of 4 to 0.

Committee Assignments for 2022

Chairman Farrell announced the following committee assignments for the year 2022:

Planning and Zoning Committee

Dennis Benner, Chair

John Inglis

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

Brian Farrell, Chair

Philip Spaeth

Appointments Review Committee

John Inglis, Chair

Brian Farrell

Appointment of Voting Delegate to State Association's Annual Convention

Motion made by Mr. Inglis and seconded by Mr. Wagner 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 4 to 0.

**SUBDIVISIONS & LAND DEVELOPMENTS**

None

**MINUTES**

None

**ORDINANCES**

None

**RESOLUTIONS**

Resolution No. 2022-04 – Comprehensive Fee Schedule for Community Development Department

Motion made by Mr. Inglis and seconded by Mr. Wagner to adopt Resolution No. 2022-04 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.

Supervisor Spaeth said the permit fees for an in-ground pool seemed excessive when combined with the fee for a fence. He said this is something the Board should look at in the future.

The motion was approved by a vote of 4 to 0.

Resolution No. 2022-05 – Appointment of Voting Delegate, First Alternate Voting Delegate and Second Alternate Voting Delegate to the Lehigh County Tax Collection Committee

Motion made by Mr. Spaeth and seconded by Mr. Inglis to adopt Resolution No. 2022-05 appointing Louis Pepe as Voting Delegate, Thomas Beil as First Alternate Voting Delegate

and Stephen Wagner as Second Alternate Voting Delegate to the Lehigh County Tax Collection Committee.

The motion was approved by a vote of 4 to 0.

Resolution No. 2022-06 - Consultant Review Fees To Be Paid By Developers In Connection With The Review And Approval Of Subdivisions And Land Developments

Motion made by Mr. Wagner and seconded by Mr. Inglis to adopt Resolution No. 2022-06 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 4 to 0.

Resolution No. 2022-07 – Modifying the COVID-19 Vaccination Incentive Program

Motion made by Mr. Spaeth and seconded by Mr. Inglis to adopt Resolution No. 2022-07 modifying the COVID-19 vaccination program for Township employees

The motion was approved by a vote of 4 to 0.

**MOTIONS**

Lease of Township-owned Property at 4556 E. Valley Road

Motion made by Mr. Spaeth and seconded by Mr. Wagner 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 on behalf of the Township.

The motion was approved by a vote of 4 to 0.

Lease of Township-owned Property at 4865 W. Hopewell Road (Curly Horse Open Space)

Motion made by Mr. Inglis 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 on behalf of the Township.

The motion was approved by a vote of 4 to 0.

Bids for Rail Trail Pedestrian Bridge Over Preston Lane

Contract 1 – Site Work and Bridge Installation

Motion made by Mr. Spaeth and seconded by Mr. Inglis to reject all bids received for Contract 1 of the Rail Trail Pedestrian Bridge Project due to the bids coming in over budget.

A lengthy discussion ensued regarding the bids received for the Rail Trail Pedestrian Bridge. Mr. Beil said the project costs as reflected in the bids far exceeded the amount budgeted. He suggested rejecting all bids and rebidding the project at the beginning of 2023.

The motion was approved by a vote of 4 to 0.

Contract 2 – Electrical Work

Motion made by Mr. Wagner and seconded by Mr. Inglis to reject all bids received for Contract 2 of the Rail Trail Pedestrian Bridge Project due to the bids coming in over budget.

The motion was approved by a vote of 4 to 0.

Proposed Ordinance No. 174 Imposing an Additional 0.10% Earned Income Tax on Township Residents to Fund the Preservation of Open Space Consistent with the Referendum Question Approved at the General Election on November 2, 2021

Mr. Beil and Solicitor Dinkelacker reviewed proposed Ordinance No. 174 with the Board.

Motion made by Mr. Spaeth and seconded by Mr. Wagner to authorize advertisement of proposed Ordinance No. 174 so final adoption of the proposed Ordinance can be considered at the March 14, 2022 Board of Supervisors' meeting.

The motion was approved by a vote of 4 to 0.

Request for Payment – Hopewell Park Landscaping Project – Certification No. 2

Motion made by Mr. Inglis and seconded by Mr. Wagner to authorize payment in the amount of \$56,286.00 to All Seasons Landscaping Company for work completed on the Hopewell Park Landscaping Project.

The motion was approved by a vote of 4 to 0.

Appeal Zoning Hearing Board Decision Regarding Proposed Grocery Store at 4373 Route 378

Motion made by Mr. Spaeth and seconded by Mr. Wagner to authorize the Township Solicitor to appeal the decision of the Zoning Hearing Board dated December 27, 2021 regarding the proposed Aldi grocery store at 4373 Route 378.

The motion was approved by a vote of 4 to 0.

**CORRESPONDENCE AND INFORMATION ITEMS**

None

### **DIRECTION/DISCUSSION ITEMS**

#### **Review Agenda for Zoning Hearing Board meeting on January 5, 2022**

Mr. Beil briefly reviewed the lone appeal on the docket for the January 5, 2022 Zoning Hearing Board meeting. It was determined this appeal involves a routine matter that can be handled by the Zoning Hearing Board without input from the Board of Supervisors.

#### **Consider forming special committee to plan future expansion of Township Building**

The Board discussed the best approach to planning the future expansion of the Township Building. Mr. Beil suggested either forming a special committee or utilizing an existing committee to oversee the preliminary planning for the expansion.

It was the consensus of the Board to have the Planning and Zoning Committee work with staff to explore options for possible future expansion of the Township Building. After considering the various options, the Planning and Zoning Committee will make a recommendation to the full Board on the best way to proceed with the expansion project.

### **BILLS, PAYROLL AND COMMISSIONS**

Motion made by Mr. Wagner and seconded by Mr. Spaeth to authorize payment of the Prepaid Invoice List Dated December 30, 2021 for Check Issue Dates: 12/21/2021 – 1/3/2022 and Warrant Detail Invoice List dated December 30, 2021 for Report Dates: 12/21/2021 – 1/3/2022.

The motion was approved by a vote of 4 to 0.

### **ADDITIONAL BUSINESS**

Supervisor Inglis said the Township is fortunate to have such a great group of volunteers serving on its various boards and commissions.

Supervisor Spaeth said the Township should see if there's any interest by our residents in forming a historical society or commission. He mentioned that a historical society or commission could assist with preserving "The President Pump" which is one of the most historic sites in the Township.

Supervisor Spaeth asked if there was an update on the possibility of Lower Saucon Township joining the Southern Lehigh Public Library. Mr. Beil provided a brief update, noting he is trying to coordinate a meeting with representatives from Lower Saucon Township and the Southern Lehigh Public Library.

Supervisor Spaeth said he was surprised by recent comments made by Becky Bradley of the Lehigh Valley Planning Commission that the Lehigh Valley region is one of the fastest growing industrial areas in the entire country.

A discussion ensued about the possibility of the Township forming a historical society or commission. The Board was in favor of forming a historical society or commission and asked Mr. Beil to research the matter.

**COURTESY OF THE FLOOR**


None

**ADJOURNMENT**

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

The motion was approved by a vote of 4 to 0.

The meeting was adjourned at approximately 7:25 p.m.

  
Secretary