

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, July 11, 2022 – 6:30 P.M.
Township Municipal Building

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

Members Absent: Stephen Wagner

Staff Attending: Thomas F. Beil, Township Manager
Joseph Geib, Assistant Township Manager
Thomas Dinkelacker, Township Solicitor
Charles Unangst, P.E., Township Engineer
Patricia Lang, Director of Community Development

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

None

SUBDIVISIONS & LAND DEVELOPMENTS

Ohl Property Minor Subdivision Plan – Resolution No. 2022-21

Motion made by Mr. Benner and seconded by Mr. Inglis to adopt Resolution No. 2022-21 conditionally approving the preliminary / final minor subdivision plan of Upper Saucon

Township to subdivide the property at 6156 Limeport Pike into 2 lots, one of which would be used for the construction of a sewage pump station.

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

MINUTES

Regular Meeting of March 14, 2022

Motion made by Mr. Spaeth and seconded by Mr. Inglis to approve the minutes of the regular meeting of March 14, 2022.

The motion was approved by a vote of 3 in favor, none against and 1 abstention. Mr. Benner abstained from voting because he was not present at the meeting on March 14, 2022.

PUBLIC HEARING ON NEW COMPREHENSIVE RECREATION PLAN AND OPEN SPACE PLAN

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

Solicitor Dinkelacker provided background information on the proposed Comprehensive Recreation and Open Space Plan. He noted Article 3 of the Municipalities Planning Code requires the Board to hold a hearing on the Comprehensive Recreation and Open Space Plan prior to adoption.

Solicitor Dinkelacker introduced the following exhibits into the record:

- Exhibit T-1 - Comprehensive Recreation and Open Space Plan for Upper Saucon Township dated August 2020.
- Exhibit T-2 - Copy of Public Notice that ran in The Morning Call on Thursday, June 23, 2022 and Thursday, June 30, 2022.
- Exhibit T-3 - Review letter dated June 24, 2022 from Lehigh Valley Planning Commission.
- Exhibit T-4 - Review letter dated July 6, 2022 from Upper Saucon Township Planning Commission.
- Exhibit T-5 - Letter dated June 22, 2022 from Lower Saucon Township confirming receipt of the Plan and offering no comments.

Solicitor Dinkelacker noted that Exhibits T-1 through T-5 will become part of the official record of the hearing.

Solicitor Dinkelacker turned the hearing back over to Chairman Farrell.

Chairman Farrell invited the Board members and the public to comment on the proposed Comprehensive Recreation and Open Space Plan.

Mr. Spaeth offered his comments and observations regarding the Plan.

Mr. Benner asked several questions related to the Plan to which Mr. Beil responded.

Chairman Farrell closed the public hearing.

ORDINANCES

None

RESOLUTIONS

Resolution No. 2022-20 – Approving New Comprehensive Recreation and Open Space Plan
Motion made by Mr. Benner and seconded by Mr. Inglis to approve Resolution No. 2022-20 adopting the Comprehensive Recreation and Open Space Plan dated August 2020 as a companion and supplement to the recently adopted Comprehensive Plan 2020.

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

Resolution No. 2022-22 – Modifying Application Fee to Obtain Sales and Solicitation License

Motion made by Mr. Benner and seconded by Mr. Inglis to adopt Resolution No. 2022-22 modifying the application fee to obtain a door-to-door sales and solicitation license under Ordinance No. 160.

The Board members engaged in a lengthy discussion regarding door-to-door sales and solicitation in the Township.

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

MOTIONS

Release of Funds – Good Shepherd Rehabilitation Hospital – Security Release Request 2

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize the release of construction security in the amount of \$1,160,036.05 for the Good Shepherd Rehabilitation Hospital Project in accordance with the Township Engineer's recommendation made by letter dated July 7, 2022.

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

Release of Funds – Traditions of America at Locust Valley – Security Release Request 3

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize the release of construction security in the amount of \$2,281,839.98 for Traditions of America at Locust

Valley in accordance with the Township Engineer's recommendation made by letter dated July 7, 2022.

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

Release of Funds – Brinley Court, Phase 1 – Security Release Request 1 (Off-Site Water and Sanitary Sewer Improvements)

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize the release of construction security in the amount of \$1,337,827.95 for Phase 1 of the Brinley Court Subdivision in accordance with the Township Engineer's recommendation made by letter dated July 7, 2022.

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

Release of Funds – Estates at Saucon Valley Subdivision – Security Release Request 8

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize the release of construction security in the amount of \$265,388.15 for the Estates at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated July 7, 2022.

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

Agreement for Transfer in Lieu of Condemnation between Lloyd P. Ohl and Upper Saucon Township

Motion made by Mr. Benner and seconded by Mr. Inglis to approve the Agreement for Transfer in Lieu of Condemnation with Lloyd P. Ohl allowing the Township to obtain a portion of the property known as 6156 Limeport Pike for use as a municipal sanitary sewer pump station and related easements, subject to revisions as deemed necessary by the Township Manager and Township Solicitor, and to authorize the Township Manager to execute said Agreement on behalf of the Township.

Mr. Beil explained the acquisition of the Ohl property is necessary in order to construct a sewer pump station. This pump station will allow public sewer service to be extended along areas of Limeport Pike and St. Joseph's Road.

George Bloeser of 6500 Limeport Pike expressed concerns about his barn being negatively impacted by the future construction of a sewer line along St. Joseph's Road. Mr. Beil addressed Mr. Bloeser's concerns noting the proposed sewer line will be on the opposite side of the street from the barn.

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

Revised Settlement Agreement – Route 309 Commerce Center (Proposal by Kay Lehigh, LLC to Construct 3 Truck Terminals and Related Improvements)

Motion made by Mr. Benner and seconded by Mr. Inglis to approve the Revised Settlement Agreement with Kay Lehigh, LLC and to authorize the Township Manager to execute said Agreement on behalf of the Township, subject to the following conditions:

- A. That in the opinion of the Township Solicitor, in consultation with the Township Manager, there exists or will exist a satisfactory agreement between Kay Lehigh, LLC and Pitt Ohio / Terminal Leasing, Inc.; and
- B. That minor revisions deemed appropriate by the Township Manager and Township Solicitor are incorporated into the final version of the Agreement.

Solicitor Dinkelacker reviewed the Revised Settlement Agreement with the Board.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION / DISCUSSION ITEMS

Cancellation of Board of Supervisors meeting scheduled for July 25, 2022 due to lack of agenda items

It was the consensus of the Board to cancel the meeting originally scheduled for July 25, 2022.

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize payment of Prepaid Invoice List Dated July 8, 2022 for Check Issue Dates: 6/14/2022 – 7/10/2022 and Warrant Detail Invoice List dated July 8, 2022 for Report Date: 7/11/2022.

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

ADDITIONAL BUSINESS

Mr. Spaeth said he saw the steel framing going up for the new Good Shepherd building and wanted to know if there were any additional satellite buildings proposed for the site. Trisha Lang, Director of Community Development, said the approved land development plan only includes the building currently under construction. Solicitor Dinkelacker said there seemed to be enough land for an additional building at the site.

Mr. Spaeth said he noticed a new home under construction in the Blue Ridge West Estates Subdivision which doesn't appear to comply with the Township's steep slope requirements. Mr. Beil said Township staff will check to make sure the necessary permits and approvals have been obtained.

Chairman Farrell asked if there was an update on the library. Mr. Beil said Lower Saucon Township's request to join the Southern Lehigh Public Library will be one of the topics discussed at the next Library Board meeting.

COURTESY OF THE FLOOR

Christian Hutter of 5481 Scholar Circle said his neighbor's travel trailer, which is parked on Scholar Circle for extended periods of time, poses a significant safety concern. He asked the Board to consider adopting an ordinance prohibiting travel trailers from parking on the street. He said he was before the Board six years ago and nothing was done to address the problem at that time.

A lengthy discussion ensued regarding the challenges the Township faces in regulating this type of activity.

It was the consensus of the Board to refer Mr. Hutter's concerns to the Public Works Committee for a more in depth review.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion made by Mr. Benner and seconded by Mr. Inglis 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