

AGENDA

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, December 20, 2021 – 6:30 P.M.
Township Municipal Building

1. CALL TO ORDER – Brian Farrell, Chairman

2. PLEDGE OF ALLEGIANCE

3. NOTIFICATION

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.

4. PUBLIC COMMENT (Any Item On or Off the Agenda)

Please sign the Speaker Sign-In Sheet at the front desk if you wish to address the Board during the Public Comment portion of the agenda. Speakers are asked to limit their comments to 3 minutes or less.

5. KENT LITTLEFIELD OF HYDRO-TERRA GROUP – ANNOUNCEMENT OF UPCOMING RETIREMENT

Mr. Littlefield plans on retiring at the end of 2021 and recommends Nikole Brown as his replacement. Mr. Littlefield has served as Township geotechnical consultant for over 23 years.

6. SUBDIVISIONS & LAND DEVELOPMENTS - None

7. MINUTES

a. Regular Meeting of September 27, 2021

Consideration of a motion to approve the minutes of the regular meeting of September 27, 2021.

8. PUBLIC HEARING ON PROPOSED ORDINANCE NO. 141-U – CONSERVATION DESIGN BUFFER OVERLAY ZONE

Proposed Ordinance No. 141-U amends the Township Zoning Ordinance to create a Conservation Design Buffer Overlay Zone and associated regulations.

a. Open public hearing

b. Introduction by Township Solicitor and identification of Township Exhibits

c. Staff comments

d. Questions by Board Members

e. Accept public comment and input

f. Additional questions by Board Members

g. Close public hearing

9. ORDINANCES (for possible adoption)

- a. Proposed Ordinance No. 141-U – Conservation Design Buffer Overlay Zone
Consideration of a motion to adopt proposed Ordinance No. 141-U amending the Township Zoning Ordinance to create a Conservation Design Buffer Overlay Zone and associated regulations. [Note to Chairman: Accept public comment prior to taking vote on proposed Ordinance.]
- b. Proposed Ordinance No. 67-BBB – No Parking Zone Along Section of Huckleberry Drive
Consideration of a motion to adopt proposed Ordinance No. 67-BBB establishing a No Parking Zone along a portion of Huckleberry Drive. [Note to Chairman: Accept public comment prior to taking vote on proposed Ordinance.]

10. RESOLUTIONS

- a. Resolution No. 2021-33 – Adoption of 2022 Township Budget
Consideration of a motion to adopt Resolution No. 2021-33 approving the 2022 Township Budget.
- b. Resolution No. 2021-35 - 2022 Tax Levy
Consideration of a motion to adopt Resolution No. 2021-35 fixing the real estate tax rate and fire hydrant tax rate for the year 2022.
- c. Resolution No. 2021-36 - 2022 Pay Plan for Non-Represented Employees
Consideration of a motion to adopt Resolution No. 2021-36 establishing the 2022 Pay Plan for non-represented employees of the Township.
- d. Resolution No. 2021-37 - Police Pension Plan Contribution
Consideration of a motion to adopt Resolution No. 2021-37 requiring participants of the Police Pension Plan to make a mandatory contribution to the Police Pension Fund for the year 2022.
- e. Resolution No 2021-38 - Non-Uniformed Employees' Pension Plan Contribution
Consideration of a motion to adopt Resolution No. 2021-38 requiring participants of the Non-Uniformed Employees' Pension Plan to make a mandatory contribution to the Non-Uniformed Employees' Pension Fund for the year 2022.
- f. Resolution No. 2021-39 – Termination of Volunteer Firefighter Length of Service Awards Program (LOSAP)
Consideration of a motion to adopt Resolution No. 2021-39 terminating the Length of Service Awards Program for volunteer firefighters and amending the 2021 Township Budget in a manner consistent therewith. (Note: As recommended by the Fire Department, LOSAP will be replaced with a Pay-Per-Call Program funded by the Township and administered by the Fire Department.)

11. MOTIONS

- a. Request for Payment – Phase 2 of Chestnut Hill Road Stormwater and Roadway Improvements Project – Certification No. 2
Consideration of a motion to authorize payment in the amount of \$387,104.15 to Anrich, Inc. for work completed on Phase 2 of the Chestnut Hill Road Stormwater and Roadway Improvements Project.
- b. Request for Payment – Oakhurst Drive Sanitary Sewer Extension Project – Certification No. 1
Consideration of a motion to authorize payment in the amount of \$204,622.78 to Anrich, Inc. for work completed on the Oakhurst Drive Sanitary Sewer Extension Project.
- c. Request for Payment – Oakhurst Drive Sanitary Sewer Extension Project – Certification No. 2
Consideration of a motion to authorize payment in the amount of \$74,536.81 to Anrich, Inc. for work completed on the Oakhurst Drive Sanitary Sewer Extension Project.
- d. Request for Payment – Hopewell Park Landscaping Project – Certification No. 1
Consideration of a motion to authorize payment in the amount of \$4,050.00 to All Seasons Landscaping Company for work completed on the Hopewell Park Landscaping Project.
- e. Release of Funds – Traditions of America at Locust Valley – Security Release Request 2
Consideration of a motion to authorize the release of construction security in the amount of \$1,336,901.31 for Traditions of America at Locust Valley in accordance with the Township Engineer's recommendation made by letter dated December 7, 2021.
- f. Release of Funds – Offsite Water Main in Connection with Estates at Saucon Valley Subdivision – Security Release Request 1
Consideration of a motion to authorize the release of construction security in the amount of \$965,195.44 for the offsite water main extension in connection with the Estates at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated December 7, 2021.
- g. Request for Payment – Pavilion at Hopewell Park – Certification No. 3
Consideration of a motion to authorize payment in the amount of \$27,861.75 to Irish Creek Enterprises for work completed on the new pavilion at Hopewell Park.
- h. Release of Funds – Estates at Saucon Valley Subdivision – Security Release Request 3
Consideration of a motion to authorize the release of construction security in the amount of \$931,214.30 for the Estates at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated December 15, 2021.
- i. Release of Funds – Lanark III Land Development – Security Release Request No. 2
Consideration of a motion to authorize the release of construction security in the amount of \$549,625.67 for the Lanark III land development project in accordance with the Township Engineer's letter dated December 15, 2021.

- j. Release of Funds - Whispering Pines Subdivision – Certification No. 11 (Final)**
Consideration of a motion to authorize the release of construction security in the amount of \$63,796.05 for the Whispering Pines Subdivision in accordance with the Community Development Director’s memo dated December 13, 2021
- k. Public Works Union Collective Bargaining Agreement**
Consideration of a motion to ratify the Collective Bargaining Agreement between Upper Saucon Township and the Municipal Workers of Upper Saucon Township for the contract term of January 1, 2022 through December 31, 2025; and to authorize the Township Manager to execute said Agreement on behalf of the Township. [Note: The Board may wish to discuss this matter in Executive Session prior to taking a vote.]

12. CORRESPONDENCE & INFORMATION ITEMS

- a. ANNOUNCEMENT:** Board of Supervisors Reorganization Meeting will be held on Monday, January 3, 2022 at 6:30 pm

13. DIRECTION/DISCUSSION ITEMS - None

14. BILLS, PAYROLL AND COMMISSIONS

Prepaid Invoice List Dated December 17, 2021 for Check Issue Dates: 11/16/2021 – 12/20/2021 and Warrant Detail Invoice List dated December 17, 2021 for Report Dates: 11/16/2021 – 12/20/2021

- Prepaid Invoice List.....\$1,015,366.11
- Warrant Detail Invoice List.....\$ 873,572.58

Consideration of a motion to authorize payment of the Prepaid Invoice List and Warrant Detail Invoice List both dated December 17, 2021.

15. ADDITIONAL BUSINESS

16. COURTESY OF THE FLOOR

17. EXECUTIVE SESSION

18. ADJOURNMENT

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, December 20, 2021 – 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

CALL TO ORDER

Chairman Farrell called the meeting to order at 6:31 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

KENT LITTLEFIELD OF HYDRO-TERRA GROUP – ANNOUNCEMENT OF UPCOMING RETIREMENT

Kent Littlefield, the Township’s longtime geotechnical consultant, announced his plans to retire at the end of 2021. He recounted some of the interesting Township projects on which he worked. He introduced his colleague, Nikole Brown, noting she is the perfect person to

replace him. He thanked the Board of Supervisors and Township staff for their support over the years.

Chairman Farrell extended best wishes to Mr. Littlefield on his retirement and thanked him for his many years of service to the Township.

Supervisor Spaeth said he appreciates everything Mr. Littlefield has done for the Township and looks forward to working with Nikole in the future.

Supervisor Wagner thanked Mr. Littlefield for his many years of service and inquired about archiving Mr. Littlefield's files for historical reasons.

Mr. Littlefield described his efforts to digitize all his records with the goal of making them available to the Township. Supervisor Wagner asked Township staff to follow up with Mr. Littlefield in this regard.

MINUTES

Regular Meeting of September 27, 2021

Motion made by Mr. Spaeth and seconded by Mr. Inglis to approve the minutes of the regular meeting of September 27, 2021.

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

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 141-U – CONSERVATION DESIGN BUFFER OVERLAY ZONE

Proposed Ordinance No. 141-U amends the Township Zoning Ordinance to create a Conservation Design Buffer Overlay Zone and associated regulations.

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

Solicitor Dinkelacker said the purpose of the hearing is to accept public comment and input relative to the proposed Ordinance.

Solicitor Dinkelacker introduced the following exhibits into the record:

- Exhibit T-1 - Complete copy of proposed Ordinance No. 141-U.
- Exhibit T-2 - Letter dated November 1, 2021 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-U to the Upper Saucon Township Planning Commission.
- Exhibit T-3 - Letter dated November 1, 2021 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-U to the Lehigh Valley Planning Commission.

- Exhibit T-4 – Letter November 1, 2021 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-U to the Lehigh County Department of Law.
- Exhibit T-5 – Letter November 1, 2021 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-U to The Morning Call newspaper.
- Exhibit T-6 – Review comments received from the Upper Saucon Township Planning Commission regarding proposed Ordinance No. 141-U.
- Exhibit T-7– Review comments received from the Lehigh Valley Planning Commission regarding proposed Ordinance No. 141-U.
- Exhibit T-8 – Copy of public notice for proposed Ordinance No. 141-U which was submitted to The Morning Call newspaper for publication on December 1, 2021 and December 8, 2021.
- Exhibit T-9 – Copies of actual public notices for proposed Ordinance No. 141-U which appeared in the legal notices section of The Morning Call newspaper on December 1, 2021 and December 8, 2021.

Solicitor Dinkelacker noted that Exhibits T-1 through T-9 will become part of the official record of the hearing.

Patricia Lang, Director of Community Development, reviewed the proposed Ordinance with the Board.

Solicitor Dinkelacker asked if anyone from the public wished to comment on the proposed Ordinance.

Randy Bloch of 1645 Woodbridge Lane had several questions regarding the proposed Ordinance. Ms. Lang and Solicitor Dinkelacker responded to Mr. Bloch's questions.

Mr. Bloch was of the opinion that East Valley Road will have to be widened if the property at the southeast corner of Route 309 and East Valley Road is developed in accordance with the proposed Conservation Design Buffer Overlay Zone regulations.

Supervisor Spaeth posed various questions relating to the proposed Ordinance to which Solicitor Dinkelacker responded.

Chairman Farrell closed the public hearing.

ORDINANCE

Proposed Ordinance No. 141-U – Conservation Design Buffer Overlay Zone

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt proposed Ordinance No. 141-U amending the Township Zoning Ordinance to create a Conservation Design Buffer Overlay Zone and associated regulations.

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.

Proposed Ordinance No. 67-BBB – No Parking Zone Along Section of Huckleberry Drive

Motion made by Mr. Spaeth and seconded by Mr. Benner to adopt proposed Ordinance No. 67-BBB establishing a No Parking Zone along a portion of Huckleberry Drive.

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. 2021-33 – Adoption of 2022 Township Budget

Motion made by Mr. Benner and seconded by Mr. Inglis to adopt Resolution No. 2021-33 approving the 2022 Township Budget.

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

Resolution No. 2021-35 - 2022 Tax Levy

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt Resolution No. 2021-35 fixing the real estate tax rate and fire hydrant tax rate for the year 2022.

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

Resolution No. 2021-36 - 2022 Pay Plan for Non-Represented Employees

Motion made by Mr. Spaeth and seconded by Mr. Inglis to adopt Resolution No. 2021-36 establishing the 2022 Pay Plan for non-represented employees of the Township.

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

Resolution No. 2021-37 - Police Pension Plan Contribution

Motion made by Mr. Inglis and seconded by Mr. Benner to adopt Resolution No. 2021-37 requiring participants of the Police Pension Plan to make a mandatory contribution to the Police Pension Fund for the year 2022.

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

Resolution No 2021-38 - Non-Uniformed Employees' Pension Plan Contribution

Motion made by Mr. Wagner and seconded by Mr. Benner to adopt Resolution No. 2021-38 requiring participants of the Non-Uniformed Employees' Pension Plan to make a mandatory contribution to the Non-Uniformed Employees' Pension Fund for the year 2022.

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

Resolution No. 2021-39 – Termination of Volunteer Firefighter Length of Service Awards Program (LOSAP)

Motion made by Mr. Spaeth and seconded by Mr. Benner to adopt Resolution No. 2021-39 terminating the Length of Service Awards Program for volunteer firefighters and amending the 2021 Township Budget in a manner consistent therewith.

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

MOTIONS

Request for Payment – Phase 2 of Chestnut Hill Road Stormwater and Roadway Improvements Project – Certification No. 2

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize payment in the amount of \$387,104.15 to Anrich, Inc. for work completed on Phase 2 of the Chestnut Hill Road Stormwater and Roadway Improvements Project.

Supervisors Spaeth and Wagner mentioned that portions of the newly paved Chestnut Hill Road seem wavy or bumpy. Mr. Chimics said the contractor will be back in the Spring to address problem areas.

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

Request for Payment - Oakhurst Drive Sanitary Sewer Extension Project - Certification No. 1

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize payment in the amount of \$204,622.78 to Anrich, Inc. for work completed on the Oakhurst Drive Sanitary Sewer Extension Project.

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

Request for Payment - Oakhurst Drive Sanitary Sewer Extension Project - Certification No. 2

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize payment in the amount of \$74,536.81 to Anrich, Inc. for work completed on the Oakhurst Drive Sanitary Sewer Extension Project.

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

Request for Payment – Hopewell Park Landscaping Project – Certification No. 1

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize payment in the amount of \$4,050.00 to All Seasons Landscaping Company for work completed on the Hopewell Park Landscaping Project.

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

Release of Funds – Traditions of America at Locust Valley – Security Release Request 2

Motion made by Mr. Spaeth and seconded by Mr. Benner to authorize the release of construction security in the amount of \$1,336,901.31 for Traditions of America at Locust Valley in accordance with the Township Engineer's recommendation made by letter dated December 7, 2021.

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

Release of Funds – Offsite Water Main in Connection with Estates at Saucon Valley Subdivision – Security Release Request 1

Motion made by Mr. Wagner and seconded by Mr. Benner to authorize the release of construction security in the amount of \$965,195.44 for the offsite water main extension in connection with the Estates at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated December 7, 2021.

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

Request for Payment – Pavilion at Hopewell Park – Certification No. 3

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize payment in the amount of \$27,861.75 to Irish Creek Enterprises for work completed on the new pavilion at Hopewell Park.

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

Release of Funds – Estates at Saucon Valley Subdivision – Security Release Request 3

Motion made by Mr. Inglis and seconded by Mr. Benner to authorize the release of construction security in the amount of \$931,214.30 for the Estates at Saucon Valley Subdivision in accordance with the Township Engineer's recommendation made by letter dated December 15, 2021.

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

Release of Funds – Lanark III Land Development – Security Release Request No. 2

Motion made by Mr. Benner and seconded by Mr. Inglis to authorize the release of construction security in the amount of \$549,625.67 for the Lanark III land development project in accordance with the Township Engineer's letter dated December 15, 2021.

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

Release of Funds - Whispering Pines Subdivision – Certification No. 11 (Final)

Motion made by Mr. Benner and seconded by Mr. Wagner to authorize the release of construction security in the amount of \$63,796.05 for the Whispering Pines Subdivision in accordance with the Community Development Director's memo dated December 13, 2021.

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

Public Works Union Collective Bargaining Agreement

The Board deferred action on this item until later in the meeting.

CORRESPONDENCE & INFORMATION ITEMS

Chairman Farrell announced the Board of Supervisors Reorganization Meeting will be held on Monday, January 3, 2022 at 6:30 pm.

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Spaeth and seconded by Mr. Inglis to authorized payment of Prepaid Invoice List Dated December 17, 2021 for Check Issue Dates: 11/16/2021 – 12/20/2021 and Warrant Detail Invoice List dated December 17, 2021 for Report Dates: 11/16/2021 – 12/20/2021.

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

ADDITIONAL BUSINESS

Supervisor Inglis mentioned that Lower Saucon Township might be interested in joining the Southern Lehigh Public Library. He also mentioned that Lower Milford Township recently reduced its funding to the Southern Lehigh Public Library, but a donor came forward to offset this loss in funding. A discussion ensued regarding the possible addition of Lower Saucon Township to the Southern Lehigh Public Library service area.

Supervisor Inglis noted a recent newspaper article about PennDOT funding for traffic improvements at Route 309 and Center Valley Parkway. A discussion ensued regarding the timeline for the proposed grade separated interchange at this intersection.

Supervisor Inglis was troubled by a recent newspaper article about the proliferation of solar farms and asked if the Township has anything to control this type of use which, in many instances, tends to be unsightly. Mr. Beil said the Township staff would review the current solar farm regulations in the Zoning Ordinance and recommend possible changes. Supervisor Wagner suggested wind turbines be included in staff's review.

COURTESY OF THE FLOOR

On behalf of the Police Association, Dane Carroll thanked the Board for lowering the employee pension contribution and said he looks forward to working with the Township Administration on a new contract in the upcoming year.

EXECUTIVE SESSION

At approximately 7:36 p.m., the Board met in Executive Session to discuss:

- Potential litigation concerning the Zoning Hearing Board's recent decision in the matter of the proposed Aldi grocery store at 4373 Route 378
- Personnel matters
- Public Works Union Collective Bargaining Agreement

At approximately 9:04 p.m., the Board returned from Executive Session.

Public Works Union Collective Bargaining Agreement

Motion made by Mr. Benner and seconded by Mr. Inglis to ratify the Collective Bargaining Agreement between Upper Saucon Township and the Municipal Workers of Upper Saucon Township for the contract term of January 1, 2022 through December 31, 2025; 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.

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 9:05 p.m.



Secretary