

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, April 10, 2023 – 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
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

None

MINUTES

Regular Meeting of January 3, 2023

Motion made by Mr. Inglis and seconded by Mr. Benner to approve the minutes of the regular meeting of January 3, 2023.

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

Regular Meeting of February 13, 2023

Motion made by Mr. Inglis and seconded by Mr. Spaeth to approve the minutes of the regular meeting of February 13, 2023.

The motion was approved by a vote of 4 in favor, none against and 1 abstention. Mr. Benner abstained from voting because he was not present at the meeting on February 13, 2023.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 141-X

Proposed Ordinance No. 141-X amends the Township Zoning Ordinance to eliminate existing regulations relating to forestry uses and substitute new regulations based upon model language approved by the State Attorney General's Office; and to establish new regulations relating to electric vehicle charging stations.

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 proposed Ordinance No. 141-X. He briefly summarized the proposed Ordinance and explained the specific issues the proposed Ordinance was intended to address.

Solicitor Dinkelacker introduced the following exhibits into the record:

- Exhibit T-1 - Complete copy of proposed Ordinance No. 141-X.
- Exhibit T-2 - Letter dated February 1, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-X to Upper Saucon Township Planning Commission.
- Exhibit T-3 - Letter dated February 1, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-X to the Lehigh Valley Planning Commission.
- Exhibit T-4 - Letter dated February 1, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-X to the Lehigh County Department of Law.

- Exhibit T-5 - Letter dated February 1, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-X to The Morning Call newspaper.
- Exhibit T-6 - Review comments received from the Upper Saucon Township Planning Commission regarding proposed Ordinance No. 141-X.
- Exhibit T-7 - Review comments received from the Lehigh Valley Planning Commission regarding proposed Ordinance No. 141-X.
- Exhibit T-8 - Copy of public notice for proposed Ordinance No. 141-X which was submitted to The Morning Call newspaper for publication on March 24, 2023 and March 31, 2023.
- Exhibit T-9 - Copies of actual public notices for proposed Ordinance No. 141-X which appeared in the legal notices section of The Morning Call newspaper on March 24, 2023 and March 31, 2023.

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

The Board members had various questions concerning the proposed Ordinance. Ms. Lang and Solicitor Dinkelacker responded to the questions.

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

Tim Foley of 7510 Pheasant Drive wanted to know if Lutron falls under the proposed Ordinance. Solicitor Dinkelacker said the proposed Ordinance, if adopted, would not apply to Lutron's existing facilities but might apply in the future should the facilities be expanded.

Chairman Farrell closed the public hearing.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 141-Z

Proposed Ordinance No. 141-Z amends the Township Zoning Ordinance to make landowners responsible for the extermination of vermin and pests in areas where backyard chickens are kept; and to further clarify the applicability of the Zoning Ordinance to the Township.

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

Solicitor Dinkelacker briefly summarized the proposed Ordinance and explained its purpose.

Solicitor Dinkelacker introduced the following exhibits into the record:

- Exhibit T-1 - Complete copy of proposed Ordinance No. 141-Z.
- Exhibit T-2 - Letter dated February 16, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-Z to Upper Saucon Township Planning Commission.
- Exhibit T-3 - Letter dated February 16, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-Z to the Lehigh Valley Planning Commission.
- Exhibit T-4 - Letter dated February 16, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-Z to the Lehigh County Department of Law.
- Exhibit T-5 - Letter dated February 16, 2023 from Trisha Lang, Director of Community Development, transmitting proposed Ordinance No. 141-Z to The Morning Call newspaper.
- Exhibit T-6 - Review comments received from the Upper Saucon Township Planning Commission regarding proposed Ordinance No. 141-Z.
- Exhibit T-7 - Review comments received from the Lehigh Valley Planning Commission regarding proposed Ordinance No. 141-Z.
- Exhibit T-8 - Copy of public notice for proposed Ordinance No. 141-Z which was submitted to The Morning Call newspaper for publication on March 24, 2023 and March 31, 2023.
- Exhibit T-9 - Copies of actual public notices for proposed Ordinance No. 141-Z which appeared in the legal notices section of The Morning Call newspaper on March 24, 2023 and March 31, 2023.

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

Supervisor Inglis asked how the existing chicken ordinance regulations are going.

Ms. Lang said she is aware of one violation of the chicken regulations and two backyard chicken permits being issued to date.

Solicitor Dinkelacker asked if anyone from the public wishes to comment on the proposed Ordinance. There was no response.

Chairman Farrell closed the public hearing.

ORDINANCES

Proposed Ordinance No. 141-X – Forestry Uses and Electric Vehicle Charging Stations
Motion made by Mr. Benner and seconded by Mr. Inglis to adopt proposed Ordinance No. 141-X amending the Township Zoning Ordinance to establish new regulations pertaining to forestry uses and electric vehicle charging stations.

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. 141-Z – Responsibilities of Persons Keeping Backyard Chickens and Applicability of Zoning Ordinance to Township
Motion made by Mr. Inglis and seconded by Mr. Wagner to adopt proposed Ordinance No. 141-Z amending the Township Zoning Ordinance to make landowners responsible for the extermination of pests and vermin in areas where backyard chickens are kept; and to further clarify the applicability of the Zoning Ordinance to the Township.

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. 2023-10 – Procedures for Reviewing and Acquiring Open Space Interests
Motion made by Mr. Inglis and seconded by Mr. Wagner to adopt Resolution No. 2023-10 establishing procedures for reviewing open space property interests considered for acquisition by the Township, for rating the relative desirability of interests in particular parcels of real estate as open space and for establishing the price the Township will pay for open space interests, all in accordance with the Open Space Lands Acquisition and Preservation Act.

The Board members had several questions regarding Resolution No. 2023-10. Mr. Beil and Solicitor Dinkelacker responded to the questions.

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

MOTIONS

Award 2023 Street Maintenance Bid
Motion made by Mr. Inglis and seconded by Mr. Benner to award the 2023 Street Maintenance Bid, which includes the Base Bid and Alternate 1, to Asphalt Maintenance Solutions for a total bid price of \$447,609.99.

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

Choice Sisters Zoning Agreement – 5712 Main Street

Motion made by Mr. Inglis and seconded by Mr. Benner to approve the Agreement with Choice Sisters, LLC, setting forth the terms and conditions under which the Township will refrain from objecting to the Zoning Appeal filed by Choice Sisters, LLC, pertaining to the property at 5712 Main Street, 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.

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION / DISCUSSION ITEMS

Cancellation of Board of Supervisors meeting scheduled for April 24, 2023 due to lack of agenda items

It was the consensus of the Board to cancel the meeting originally scheduled for April 24, 2023.

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Wagner and seconded by Mr. Spaeth to authorize payment of Prepaid Invoice List Dated April 6, 2023 for Check Issue Dates: 3/28/2023 – 4/10/2023 and Warrant Detail Invoice List dated April 6, 2023 for Report Date: 4/10/2023.

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

ADDITIONAL BUSINESS

Supervisor Spaeth inquired about the construction taking place along Route 378 in the vicinity of the Middle School. It was noted that the construction activities are related to the School District's Athletic Stadium Renovations Project.

Supervisor Spaeth said he observed increased traffic backups at the signalized intersection of West Saucon Valley Road and Lanark Road. He said the intersection needs left turn lanes and the signal timing probably needs to be adjusted. Mr. Beil said the traffic signal at this intersection was damaged by a truck and now only operates in default mode which is much less efficient at getting vehicles through the intersection. It will probably be about two months before the signal can be repaired due to replacement parts not being available. Mr. Beil said the traffic backups should be reduced once the signal is repaired and functioning normally. A discussion ensued concerning possible traffic improvements at this intersection.

COURTESY OF THE FLOOR

None

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 5 to 0.

The meeting was adjourned at approximately 7:17 p.m.



T. F. Deil

Secretary