

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, February 26, 2024 – 6:30 P.M.
Township Municipal Building

Members Present: John G. Inglis, III, Chairman
Philip W. Spaeth, Vice Chairman
Timothy Foley

Members
Participating
Via Speakerphone: Stephen Wagner

Members Absent: Brian J. Farrell

Staff Attending: Thomas F. Beil, Township Manager
Joseph Geib, Assistant Township Manager
Patrick Leonard, Director of General Services
Thomas Nicoletti, Chief of Police
Dane Carroll, Emergency Management Coordinator
Thomas Dinkelacker, Township Solicitor
Charles Unangst, P.E., Township Engineer

CALL TO ORDER

Chairman Inglis 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 Inglis asked all in attendance to stand and recite the "Pledge of Allegiance."

NOTIFICATION

Chairman Inglis 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

ANNOUNCEMENT

Chairman Inglis announced that the Board met in Executive Session on Thursday, February 1, 2024 at 5:00 pm to discuss threatened litigation involving the proposed Route 309 Commerce Center.

MINUTES

Regular Meeting of December 18, 2023

Motion made by Mr. Spaeth and seconded by Mr. Wagner to approve the minutes of the regular meeting of December 18, 2023.

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

Reorganization and Regular Meeting of January 2, 2024

Motion made by Mr. Foley and seconded by Mr. Spaeth to approve the minutes of the reorganization and regular meeting of January 2, 2024.

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

ORDINANCES

None

RESOLUTIONS

Resolution No. 2024-08 - Adopting Smoothing Method to Determine Actuarial Value of Assets for Police Pension Plan

Motion made by Mr. Spaeth and seconded by Mr. Wagner to adopt Resolution No. 2024-08 authorizing the use of the five year smoothing method to determine the actuarial value of assets as part of the actuarial valuation for the Township's Police Pension Plan.

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

Resolution No. 2024-09 - Adopting Smoothing Method to Determine Actuarial Value of Assets for Non-Uniformed Pension Plan

Motion made by Mr. Spaeth and seconded by Mr. Foley to adopt Resolution No. 2024-09 authorizing the use of the five year smoothing method to determine the actuarial value of assets as part of the actuarial valuation for the Township's Non-Uniformed Pension Plan.

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

Resolution No. 2024-10 – Reaffirming QNB Bank as Depository for Township Funds

Motion made by Mr. Spaeth and seconded by Mr. Foley to adopt Resolution No. 2024-10 reaffirming QNB Bank as the primary depository for Township funds and clarifying the permissions granted to certain Township officials to approve banking-related transactions.

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

Resolution No. 2024-11 – Updating Rank Structure in Police Department

Motion made by Mr. Spaeth and seconded by Mr. Foley to adopt Resolution No. 2024-11 updating and clarifying the current rank structure in the Police Department.

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

MOTIONS

Release of Funds – HMB Management Hotel & Banquet Center – Release No. 5 (Final)

Motion made by Mr. Spaeth and seconded by Mr. Foley to authorize the final release of construction security in the amount of \$11,057.52 for the HMB Management Hotel and Banquet Center project in accordance with the Township Engineer's recommendation made by letter dated January 26, 2024.

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

East Valley Road Drainage and Bridge Agreement

Motion made by Mr. Spaeth and seconded by Mr. Wagner to approve the East Valley Road Drainage and Bridge Agreement between Kay Lehigh, LLC and Upper Saucon Township which provides for various stormwater and bridge improvements in and around the area where East Valley Road crosses the Saucon Creek; and to authorize the Township Manager to execute said Agreement on behalf of the Township.

Solicitor Dinkelacker provided an in-depth review of the Agreement.

Chairman Inglis invited the public to comment on this matter.

Attorney Dennis McCarthy of Davidson & McCarthy addressed the Board, noting he represented Jane Schultz and Judy Krasnicke, both residents of East Valley Road. He thanked the Township and Kay Lehigh for listening to the concerns of the residents. He strongly encouraged the Township to act with urgency and make sure the new bridge is constructed within the five year time frame specified in the Agreement.

Chairman Inglis spoke in support of constructing the new bridge sooner rather than later.

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

Mailbox Replacement Policy

Motion made by Mr. Spaeth and seconded by Mr. Foley to approve Policy No. 2024-01 establishing a formal procedure for handling resident requests for the replacement or repair of mailboxes damaged during Township snow removal operations.

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

SUBDIVISIONS & LAND DEVELOPMENTS

Route 309 Commerce Center – Preliminary / Final Land Development Plan – Resolution No. 2024-12

Motion made by Mr. Spaeth and seconded by Mr. Foley to adopt Resolution No. 2024-12 conditionally approving the Preliminary / Final Land Development Plan of Kay Lehigh, LLC to construct three truck / motor freight terminals on approximately 120 acres of land generally located along the east side of Route 309 between East Hopewell Road and Center Valley Parkway.

Solicitor Dinkelacker reviewed the history of the Route 309 Commerce Center project and provided a brief overview of Resolution No. 2024-12.

Chairman Inglis invited the public to comment on this matter.

James Dickey of 3475 Courtney Drive expressed concerns with the Township's current lighting regulations noting the regulations do not seem to be strict enough in preventing light pollution and spillover. He asked Kay Lehigh to pay attention to the type of lights installed at their facility to make sure the light is directed down and does not spill over onto neighboring properties.

Chairman Inglis said the Planning and Zoning Committee will meet in the near future to review the current lighting regulations and he asked Mr. Beil to make sure Mr. Dickey is invited to this meeting.

Patty Minguillon of 3542 Sunnyside Road had questions and concerns about fill material being brought in to elevate the site of the warehouses. Jason Engelhardt, design engineer for the project, explained a portion of the site will be raised and a portion will be lowered to balance out the earthwork and create a level area for the buildings.

Attorney Dennis McCarthy proposed additional conditions of approval he would like to see incorporated into Resolution No. 2024-12. Solicitor Dinkelacker said some of the proposed additional conditions are not proper conditions while others are already addressed in the Bridge Agreement and the Township Engineer's review letter. Solicitor Dinkelacker and Mr. Unangst reviewed and addressed each of the proposed additional conditions.

Ana Martins, P.E., of Van Cleef Engineering had questions and concerns related to the new bridge on East Valley Road to which Messrs. Dinkelacker and Inglis responded.

Attorney James Preston who represents Kay Lehigh, LLC mentioned that many of Ms. Martins' concerns would be addressed in the Land Development Improvements Agreement for this project.

Solicitor Dinkelacker said he does not recommend adding the conditions recommended by Attorney McCarthy.

Attorney McCarthy thanked the Board for their time and attention to this matter.

Attorney Preston said Kay Lehigh's position is that the additional conditions proposed by Attorney McCarthy are not appropriate and cannot be agreed to.

Connie Behringer of 3496 Clarinbridge Way had various questions regarding the Route 309 Commerce Center project to which Attorney Dinkelacker and Mr. Englehart responded. She expressed concerns with the environmental and noise impacts of this project. She also had questions about the construction of the grade separated interchange at Route 309 and Center Valley Parkway to which Messrs. Inglis and Beil responded. Ms. Behringer expressed concerns with the impact the warehouse project will have on quality of life.

Renee D'Amico of 3593 Stonegate Drive mentioned she is grateful for this process and people like Connie that are just learning about this project. She said there is a lot of false information on social media about this project and she tries to be a source of accurate information. She said she's glad people who are just learning about this project are being given an opportunity to ask questions. She expressed appreciation for everyone's patience. She prefers hearing the questions being answered at a meeting rather than being spun on social media. She thanked the Board for their time.

Karl Turek of 4535 Jasmine Drive mentioned the Illuminating Engineering Society (IES) does lighting studies and makes recommendations on minimum and maximum light levels for commercial and industrial facilities. He also mentioned the Township should consider prohibiting trucks on Lanark Road. Solicitor Dinkelacker pointed out that Lanark Road falls under PennDOT's jurisdiction.

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

DIRECTION / DISCUSSION ITEMS

Review Agenda for Zoning Hearing Board meeting on February 28, 2024

Mr. Beil briefly reviewed the two appeals on the Docket for the February 28, 2024 Zoning Hearing Board Meeting. It was determined both appeals involve routine matters that can be handled by the Zoning Hearing Board without input from the Board of Supervisors.

Cancellation of Board of Supervisors meeting scheduled for March 11, 2024 due to lack of agenda items

It was the consensus of the Board to cancel the meeting originally scheduled for March 11, 2024.

UPDATE ON EMERGENCY MANAGEMENT INITIATIVES

Dane Carroll, Emergency Management Coordinator, and Patrick Leonard, Deputy Emergency Management Coordinator, updated the Board on the status of various emergency

management initiatives. Mr. Carroll responded to questions from both the Board and the public.

Chairman Inglis thanked Messrs. Carroll and Leonard for the good work they do.

BILLS, PAYROLL, AND COMMISSIONS

Prepaid Invoice List Dated February 23, 2024 for Check Issue Dates: 1/23/2024 – 2/23/2024 and Warrant Detail Invoice List dated February 23, 2024 for Report Date: 2/26/2024
Motion made by Mr. Spaeth and seconded by Mr. Foley to authorize payment of the Prepaid Invoice List and Warrant Detail Invoice List both dated February 23, 2024.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

Kenneth Klotz of 3136 Taylor Drive wanted to know if any progress had been made in correcting the stormwater management problems caused by the Estates at Saucon Valley Subdivision.

Messrs. Leonard and Unangst provided an update on the situation.

Chairman Inglis said he would contact the developer directly regarding Mr. Klotz's concerns.

EXECUTIVE SESSION

At approximately 8:48 p.m., the Board met in Executive Session to discuss:

- The Township possibly purchasing real property or acquiring an interest in real property.
- Matters deemed necessary for emergency preparedness that if discussed in public would likely jeopardize or threaten public safety.

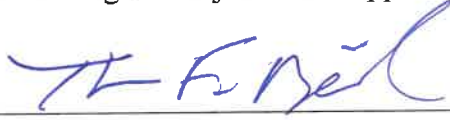
At approximately 9:20 p.m., the Board returned from Executive Session.

ADJOURNMENT

Motion made by Mr. Foley 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 9:21 p.m.



Secretary

