

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Monday, June 10, 2024 – 6:30 P.M.
Township Municipal Building

Members Present: John G. Inglis, III, Chairman
Stephen Wagner
Brian J. Farrell
Timothy Foley

Members Absent: Philip W. Spaeth, Vice Chairman

Staff Attending: Thomas F. Beil, Township Manager
Joseph Geib, Assistant Township Manager
Patrick Leonard, Director of General Services
Patricia Lang, Director of Community Development
Thomas Nicoletti, Chief of Police
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

Geraldine Davies of 5468 Glen Road said she is thrilled beyond belief that the Township is purchasing the Moyer’s Lake property. She suggested the Township consider purchasing two additional properties adjacent to the Moyer’s Lake property. She offered suggestions for making Glen Road safer for walkers. She expressed concern with legislation being

considered by the State House that would force municipalities to accept high density housing in all residential zoning districts under the guise of “affordable housing.”

Sally Keglovits of 6121 Valley Forge Drive expressed concerns with excessive noise in the form of explosions occurring primarily in the evening. She said she spoke to a police officer who informed her the Township does not have any regulations on the books to stop this type of activity and suggested she address the issue with the Board of Supervisors. She asked the Board to take an active interest in exploring ways to curb excessive noise.

John Sumoski of 4570 Calvert Place applauded the Board for trying to address issues related to stormwater runoff and hydrology, noting that water quality is a very important thing. He expressed concern with springs and waterways being negatively impacted by unchecked development. He suggested the Township identify where all the springs are located and work with developers to protect them. He also suggested allowing trees to grow in detention ponds.

Bob Hoyer of 6215 Whitetail Drive said he lives in close proximity to Moyers’ Lake. He wanted to know if he could ask questions when the Moyers’ Lake matter comes up for discussion later in the agenda. Chairman Inglis said the public would be allowed to ask questions and provide comments during the public hearing on this issue later in the meeting.

Grace Hoyer of 6215 Whitetail Drive was very happy the Township is looking to purchase the Moyers’ Lake property. She spoke in support of the Township making the property a park and offered ideas for possible improvements, including benches, walking trails and a sand volleyball court.

Jon Regan of 215 Saylor’s Lane identified himself as a forester who occasionally does timber harvesting in the Township. He voiced numerous complaints against the Township Zoning Officer, Trent Sear. He claimed Mr. Sear treated him unfairly and in an inappropriate manner during his most recent interactions with Mr. Sear regarding timber harvesting permits. He also accused Mr. Sear of being non-responsive and playing childish games. He asked how the Township was going to address this situation.

Solicitor Dinkelacker said it would be inappropriate to discuss personnel matters in a public forum.

Mr. Regan accused Mr. Sear of coming up with requirements that are not in the Zoning Ordinance.

Solicitor Dinkelacker suggested the Township Manager look into Mr. Regan’s concerns.

SUBDIVISIONS & LAND DEVELOPMENTS

Perrucci / Grube Lot Line Adjustment Plan – Resolution No. 2024-19

Motion made by Mr. Wagner and seconded by Mr. Farrell to adopt Resolution No. 2024-19

conditionally approving the Preliminary / Final Lot Line Adjustment Plan of Mr. and Mrs. Michael Perrucci and Mr. and Mrs. Terrence Grube to adjust the lot line between the properties at 2301 and 2351 Washington Lane.

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

MINUTES

None

PROPOSED AMENDMENT TO 2020 COMPREHENSIVE RECREATION AND OPEN SPACE PLAN

Public Hearing on Proposed Amendment to 2020 Comprehensive Recreation and Open Space Plan

The Board held a public hearing to accept public comment and input on the proposed Amendment to the 2020 Comprehensive Recreation and Open Space Plan dated November 6, 2023.

Solicitor Dinkelacker provided a brief overview of the proposed Amendment and the rationale for amending the Plan.

Solicitor Dinkelacker introduced several Exhibits into the record, which were identified as Exhibits T-1 through T-6.

Solicitor Dinkelacker asked if anyone from the audience wished to comment on this matter. There was no response.

Chairman Inglis closed the public hearing.

Board Action on Proposed Amendment to Comprehensive Recreation and Open Space Plan – Resolution No. 2024-18

Motion made by Mr. Wagner and seconded by Mr. Foley to approve Resolution No. 2024-18 accepting and adopting the Amended Comprehensive Recreation and Open Space Plan dated November 6, 2023 as a companion and supplement to the 2020 Comprehensive Recreation and Open Space Plan.

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

**TOWNSHIP ACQUISITION OF OPEN SPACE PROPERTY INTEREST – 5482
BLUE CHURCH ROAD (MOYERS' LAKE)**

Public Hearing on Possible Fee Simple Acquisition of 20.722 Acres at 5482 Blue Church
Road (Moyers' Lake)

The Board held a public hearing to accept public comment and input on the Township possibly acquiring a fee simple open space property interest in the real property located at 5482 Blue Church Road.

Solicitor Dinkelacker provided a brief introduction on the reason for the hearing and the procedures that would be followed during the hearing.

Solicitor Dinkelacker introduced several Exhibits into the record, which were identified as Exhibits 1 through 4.

Mr. Beil was sworn in and provided testimony in support of the Township purchasing the property at 5482 Blue Church Road as open space.

Solicitor Dinkelacker asked if anyone from the audience wished to comment on this matter.

George Bloeser of 6500 Limeport Pike said preserving Moyers' Lake is a very positive thing. He questioned whether the Township has enough staff to manage and maintain the Moyes' Lake property. He hoped the Township had a plan to manage the property and make improvements to it.

Roger Moyer of 513 East Fairview Street asked if there was any way the Township could guarantee that the property would not be developed.

Solicitor Dinkelacker said the property is being acquired as open space so it won't be developed.

Roger Moyer inquired about a family member being allowed to live on the property for a certain period of time. Mr. Beil said the current Agreement of Sale does not provide for that.

Kathleen Moyer of 513 East Fairview Street expressed concern with the spelling of Moyers' Lake, noting it should be spelled "Moyer's" rather than "Moyers'." She said Roger knows everything about the property so he could be the Township's "go-to" person for information.

Mr. Beil said the Township does not have a strong opinion on this matter and would defer to the Moyer family on the preferred spelling.

John Sumoski of 4570 Calvert Place inquired about how the Township planned to use the property. He suggested setting aside more land strictly for conservation.

Solicitor Dinkelacker said the property is being purchased under the Open Space Land Acquisition and Preservation Law which limits how the property can be used by the Township.

Grace Hoyer of 6215 Whitetail Drive inquired about the type of recreation facilities that could go on the property. Solicitor Dinkelacker responded to her inquiry.

Solicitor Dinkelacker closed the record on this matter.

Authorize Acquisition of Open Space Interest – 5482 Blue Church Road (Moyers' Lake)
Motion made by Mr. Foley and seconded by Mr. Wagner to authorize the Township's acquisition of a fee simple open space property interest in real property located at 5482 Blue Church Road, Coopersburg, Pennsylvania 18036 (Parcel Identification Number 641368632891 1) for the purpose of protecting and conserving the site's natural and scenic resources, and for the purpose of providing Township residents with open space benefits, all in accordance with testimony presented during the hearing concerning the Township's acquisition of the afore-described open space property interest held on June 10, 2024.

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

TOWNSHIP ACQUISITION OF OPEN SPACE PROPERTY INTEREST – 501 NORTH LIBERTY STREET

Public Hearing on Possible Purchase of Conservation Easement to Permanently Preserve 6.4124 Acres at 501 North Liberty Street

The Board held a public hearing to accept public comment and input on the Township possibly purchasing a conservation easement to permanently preserve the property at 501 North Liberty Street.

Solicitor Dinkelacker provided a brief introduction on this matter.

Solicitor Dinkelacker introduced several Exhibits into the record, which were identified as Exhibits 1 through 4.

Mr. Beil was sworn in and provided testimony in support of the Township purchasing a conservation easement to permanently preserve the property 501 North Liberty Street.

Supervisor Foley inquired about the possibility of constructing a trail on the property at some point in the future. Mr. Beil pointed out that the Conservation Easement Agreement specially provides for a future trail through this property.

Solicitor Dinkelacker asked if anyone from the audience wished to comment on this matter.

George Bloeser of 6500 Limport Pike had questions about the proposed Trolley Line Trail, a portion of which runs through the property at 501 North Liberty Street. Mr. Beil responded to Mr. Bloeser's questions and pointed out some of the challenges with constructing the Trolley Line Trail.

John Sumoski of 4570 Calvert Place had questions concerning a potential trail through the property. Mr. Beil responded to his questions.

Ted Dale identified himself as part owner of the property at 501 North Liberty Street. He provided a brief history of the property and expressed his family's interest in keeping the property preserved.

Solicitor Dinkelacker closed the record on this matter.

Authorize Acquisition of Open Space Property Interest – 501 North Liberty Street
Motion made by Mr. Farrell and seconded by Mr. Wagner to authorize the Township's acquisition of an open space property interest in the form of a conservation easement on real property located at 501 North Liberty Street, Coopersburg, Pennsylvania 18036 (Parcel Identification Number of 642339499767 1) for the purpose of protecting and conserving the site's natural and scenic resources, and for the purpose of providing Township residents with open space benefits, all in accordance with testimony presented during the hearing concerning the Township's acquisition of the afore-described open space property interest held on June 10, 2024.

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

ORDINANCES

Proposed Ordinance No. 108-C – Act 167 Stormwater Management Ordinance
Motion made by Mr. Wagner and seconded by Mr. Farrell to adopt proposed Ordinance No. 108-C regulating stormwater management, stormwater quality and certain land development practices as the same may impact upon stormwater runoff management and quality.

Chairman Inglis invited the public to comment on the proposed Ordinance.

George Bloeser of 6500 Limeport Pike spoke in support of the proposed Ordinance. He said he hoped the Township had the time and resources to properly enforce the Ordinance.

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

RESOLUTIONS

Resolution No. 2024-17 – Establishing Policy for Interpreting Impervious Cover Regulations Contained in Ordinance No. 108-C

Motion made by Mr. Wagner and seconded by Mr. Farrell to adopt Resolution No. 2024-17 establishing a policy for interpreting the impervious cover regulations contained in Section 106 of Ordinance No. 108-C (Act 167 Stormwater Management Ordinance).

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

Resolution No. 2024-16 – Appointing Special Fire Police

Motion made by Mr. Foley and seconded by Mr. Wagner to adopt Resolution No. 2024-16 appointing various individuals to serve as Special Fire Police for Upper Saucon Township.

Mr. Wagner thanked the Fire Police for their dedicated service to the Township.

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

MOTIONS

Agreement of Sale for 5482 Blue Church Road (Moyers' Lake)

Motion made by Mr. Foley and seconded by Mr. Farrell to approve the Agreement of Sale between Randy Moyer as Administrator for the Estate of Audrey Moyer and Upper Saucon Township which calls for the Township to purchase the property at 5482 Blue Church Road for \$750,000; and to authorize the Township Manager to execute said Agreement on behalf of the Township.

A question arose as to whether the property owner is responsible for cleaning up the property and demolishing dilapidated structures. Solicitor Dinkelacker read through the Agreement and determined the Township would be responsible for addressing these issues.

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

Exoneration of Township Real Estate Tax Bill #2577 – 3350 Center Valley Parkway

Motion made by Mr. Foley and seconded by Mr. Wagner to exonerate the Upper Saucon Township Tax Collector from collecting 2024 Real Estate Tax Bill #2577 for the property at 3350 Center Valley Parkway (Property Identification Number 641573886583-1) pursuant to correspondence dated May 8, 2024 from the Township Tax Collector. (Note: A new tax bill will be issued based on updated assessment information from Lehigh County.)

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

Conservation Easement for 501 N. Liberty Street

Motion made by Mr. Wagner and seconded by Mr. Farrell to approve the Agreement for Grant of Conservation Easement and Declaration of Restrictive Covenants between Yule Tree, L.P. and Upper Saucon Township which calls for the Township to purchase a

conservation easement on the property at 501 North Liberty Street for the purchase price of \$186,000; and to authorize the Township Manager to execute said Agreement on behalf of the Township.

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

Release of Funds – Springhill Suites (a/k/a High Hotels) – Final Release

Motion made by Mr. Farrell and seconded by Mr. Foley to authorize the final release of construction security in the amount of \$20,242.22 for the Springhill Suites hotel project in accordance with the Township Engineer's recommendation made by letter dated May 21, 2024.

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

Designate Trick or Treat

Motion made by Mr. Farrell and seconded by Mr. Wagner to designate Friday, October 25, 2024 from 6:00 pm to 8:00 pm as Upper Saucon Township Trick or Treat with a rain date of Saturday, October 26, 2024 from 6:00 pm to 8:00 pm.

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

Release of Funds – Lutron Waterline Extension – Security Release Request 2

Motion made by Mr. Foley and seconded by Mr. Farrell to authorize the release of construction security in the amount of \$35,075.00 for the recently constructed waterline along Suter Road in accordance with the Township Engineer's recommendation made by letter dated June 4, 2024 and the terms of the Off-Site Waterline Construction and Reimbursement Agreement between the Township and Lutron Electronics Company dated August 15, 2023.

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

CORRESPONDENCE & INFORMATION ITEMS

None

DIRECTION / DISCUSSION ITEMS

Review agenda for Zoning Hearing Board meeting on July 1, 2024

Mr. Beil reviewed the lone appeal on the docket for the Zoning Hearing Board meeting scheduled for July 1, 2024. The appeal involves a request to construct a billboard on the property at 7651 Route 309. It was the consensus of the Board to authorize the Township Solicitor to appear before the Zoning Hearing Board and oppose the appeal concerning the proposed billboard.

Cancellation of Board of Supervisors meeting scheduled for June 24, 2024 due to lack of agenda items

It was the consensus of the Board to cancel the meeting originally scheduled for June 24, 2024.

Resident request for Township to adopt nuisance noise ordinance

The Board discussed the benefits and challenges of enacting a noise ordinance.

Sally Keglovits of 6121 Valley Forge Drive said the noise is not from normal fireworks and sounded like bombs going off. She acknowledged the difficulties in enforcing a noise ordinance but asked the Board to get something on the books to help deal with this problem.

The Board referred this matter to the Planning and Zoning Committee.

BILLS, PAYROLL, AND COMMISSIONS

Motion made by Mr. Farrell and seconded by Mr. Wagner to authorize payment of the Prepaid Invoice List and Warrant Detail Invoice List both dated June 7, 2024.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

At approximately 7:56 p.m., the Board met in Executive Session to discuss purchasing real property or acquiring an interest in real property.

At approximately 8:49 p.m., the Board returned from Executive Session.

ADJOURNMENT

Motion made by Mr. Farrell and seconded by Mr. Wagner to adjourn the meeting.

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

The meeting was adjourned at approximately 8:50 p.m.

A handwritten signature in blue ink, appearing to read "T. F. Neill", written over a horizontal line.

Secretary