

MINUTES

Upper Saucon Township Board of Supervisors
Regular Meeting
Tuesday, January 2, 2024 – 6:30 P.M.
Township Municipal Building

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

Members Participating
Via Speakerphone: Timothy Foley

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
Patrick Leonard, Director of General Services

CALL TO ORDER

Supervisor 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

Supervisor Farrell asked all in attendance to stand and recite the "Pledge of Allegiance."

NOTIFICATION

Supervisor 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.

REORGANIZATION OF THE BOARD OF SUPERVISORS

Appoint Temporary Chairperson

Motion made by Mr. Spaeth and seconded by Mr. Wagner to appoint Attorney Thomas Dinkelacker as Temporary Chairperson for the purpose of conducting the election of the Chairperson.

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

Elect Chairperson

Attorney Dinkelacker asked for nominations for the position of Chairperson of the Board of Supervisors.

Motion made by Mr. Spaeth and seconded by Mr. Wagner to nominate and elect John G. Inglis III as Chairperson of the Board of Supervisors.

There being no further nominations, the nominations were closed and Attorney Dinkelacker called for the vote.

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

Supervisor Farrell thanked the Board for the honor and privilege of serving as Chairperson for the past few years.

Elect Vice Chairperson

Chairman Inglis asked for nominations for the position of Vice Chairperson of the Board of Supervisors.

Motion made by Mr. Wagner and seconded by Mr. Farrell to nominate and elect Philip W. Spaeth as Vice Chairperson of the Board of Supervisors.

There being no further nominations, the nominations were closed and Chairman Inglis called for the vote.

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

Appoint Township Secretary

Motion made by Mr. Farrell and seconded by Mr. Wagner to appoint Thomas F. Beil as Township Secretary.

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

Appoint Township Treasurer

Motion made by Mr. Wagner and seconded by Mr. Farrell to appoint Joseph L. Geib as Township Treasurer.

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

Appoint Assistant Township Secretary

Motion made by Mr. Wagner and seconded by Mr. Farrell to appoint Joseph L. Geib as Assistant Township Secretary.

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

Appoint Assistant Township Treasurer

Motion made by Mr. Wagner and seconded by Mr. Spaeth to appoint Patrick Leonard as Assistant Township Treasurer.

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

PUBLIC COMMENT

Kenneth Klotz of 3136 Taylor Drive complained about stormwater runoff from the Estates at Saucon Valley Subdivision negatively impacting his property. He said the Township Engineer is supposed to be looking into his concerns, but he hasn't heard anything.

Mr. Beil assured Mr. Klotz that the Township Engineer's office is looking into his concerns and the Township staff would contact him when more information is available.

Mr. Klotz said he appreciates any assistance the Township can provide in resolving this issue.

REORGANIZATION BUSINESS

Motion made by Mr. Spaeth and seconded by Mr. Wagner to approve agenda items 6a through 6f in one action and by one vote rather than requiring a vote to be taken on each individual item:

6a. Establishing the Treasurer's Bond for the year 2024 at \$2,000,000.00.

6b. Establishing the Assistant Treasurer's Bond for the year 2024 at \$2,000,000.00.

6c. Adopting Resolution No. 2024-01 designating QNB Bank as depository for Township Funds for the year 2024.

6d. Adopting Resolution No. 2024-02 designating TD Bank as depository for Township Funds for the year 2024.

6e. Reappointing the law firm of Norris McLaughlin, P.A., as Township Solicitor and approving the fee schedule set forth in the Fee Agreement between Norris McLaughlin, P.A. and the Board of Supervisors of Upper Saucon Township effective January 1, 2023.

6f. Reappointing Charles Unangst, P.E., of Hanover Engineering Associates, Inc., to serve as Township Engineer and approving the 2024 Professional Fee Schedule included with Mr. Unangst's letter of October 20, 2023.

6g. Reappointing Curtis J. Genner, Jr., P.E., of Wynn Associates, Inc., to serve as Township Conflict Engineer and approving the Schedule of Per Diem Fees, effective January 1, 2024, as provided by Wynn Associates, Inc.

6h. Reappointing Jacob A. Schray, (SEO #03134), Christopher A. Taylor (SEO #03138), Scott J. Brown (SEO #01716) and Luke E. Eggert (SEO #04090) of Hanover Engineering Associates, Inc., as sewage enforcement officers to act on behalf of Upper Saucon Township for administration and enforcement of the Pennsylvania Sewage Facilities Act.

6i. Reappointing Hydro-Terra Group as the Township Geotechnical Consultant and approving the 2024 Geotechnical Consulting Services Rate Schedule included with Nikole Brown's letter of December 1, 2023.

6j. Adopting Resolution No. 2024-03 appointing the accounting firm of Zelenkofske Axelrod, LLC to perform the 2023 annual financial audit of Township accounts.

6k. Reappointing Keycodes Inspection Agency and its construction code officials as the sole third-party agency to act on behalf of Upper Saucon Township for administration and enforcement of the Pennsylvania Construction Code Act, in accordance with Section 503(b)(2) of the Act and Section 3.b of Upper Saucon Township Ordinance No. 130.

6l. Reappointing David I. Shields of Keycodes Inspection Agency as the municipal code official and primary building code official to act on behalf of Upper Saucon Township for administration and enforcement of the Pennsylvania Construction Code Act, in accordance with Section 503(b)(1) of the Act and Section 3.a of Upper Saucon Township Ordinance No. 130.

6m. Reappointing Richard M. Nelson to the Upper Saucon Township Vacancy Board for a one year term expiring on December 31, 2024.

6n. Designating Thomas L. Gettings as Chairperson of the Upper Saucon Township Environmental Advisory Council for the year 2024.

6o. Reappointing Mark Sullivan to the Board of Directors of the Municipal Authority and Sewage Treatment Authority for a five year term expiring on December 31, 2028.

6p. Reappointing Stewart J. Gouck to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2024.

6q. Reappointing Jim Hall-Yurasits to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2024.

6r. Reappointing Tony Caciolo to the Uniform Construction Code Board of Appeals for a one year term expiring on December 31, 2024.

6s. Adopting Resolution No. 2024-04 reappointing Terrence Grube as a Regular Member of the Zoning Hearing Board for a three year term expiring on December 31, 2026.

6t. Reappointing Robert Repsher to the Park and Recreation Commission for a five year term expiring on December 31, 2028.

6u. Reappointing Craig Roth to the Park and Recreation Commission for a five year term expiring on December 31, 2028.

6v. Reappointing Robert Uhl, Jr., to the Environmental Advisory Council for a three year term expiring on December 31, 2026.

6w. Reappointing Doris Clegg to the Environmental Advisory Council for a three year term expiring on December 31, 2026.

6x. Accepting the resignation of Billee Hurley from the Environmental Advisory Council effective immediately.

6y. Appointing Christine Emily Gorigoitia-Wittenberg to the Environmental Advisory Council for a partial term expiring on December 31, 2024.

6z. Reappointing Peter Jarrett to the Saucon Rail Trail Oversight Committee for a four year term expiring on December 31, 2027.

6aa. Appointing Brian Farrell, Philip Spaeth and Dane Carroll to the Upper Saucon Township Police Pension Committee for the 2024 calendar year.

6bb. Reappointing Tiffany Olsson, Robert Tierney and Philip Spaeth to the Upper Saucon Township Non-Uniformed Employees' Pension Committee for the 2024 calendar year.

6cc. Appointing Philip W. Spaeth as the Township's voting delegate to the State Association's annual convention.

6dd. Accepting the resignation of Timothy Foley as an Alternate Member of the Zoning Hearing Board effective January 1, 2024.

6ee. Appointing Melissa Shafer as an Alternate Member of the Zoning Hearing Board for a partial term expiring December 31, 2025.

6ff. Appointing Denise Miller to the Southern Lehigh Public Library Board of Directors for a three year term expiring on December 31, 2026.

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

Committee Assignments for 2024

Chairman Inglis announced the following committee assignments for the year 2024:

Planning and Zoning Committee

John Inglis, Chair
Brian Farrell

Public Works and Transportation Committee

Stephen Wagner, Chair
Timothy Foley

Administration and Finance Committee

Philip Spaeth, Chair
Brian Farrell

Emergency Services Committee

Stephen Wagner, Chair
Timothy Foley

Parks/Recreation and Open Space Committee

Timothy Foley, Chair
Philip Spaeth

Appointments Review Committee

John Inglis, Chair
Brian Farrell

Special Committee to Review Library By-Law Changes

Brian Farrell, Chair
John Inglis

Committee meetings will be scheduled on an as-needed basis.

Establish 2024 Regular Meeting Schedule

Motion made by Mr. Spaeth and seconded by Mr. Farrell to approve the following regular meeting schedule for 2024:

Board of Supervisors

(All meetings will start at 6:30 PM and will be held in the public meeting room of the Upper Saucon Township Municipal Building located at 5500 Camp Meeting Road)

- | | |
|------------------------------------|-------------------------------|
| *Tuesday, January 2, 2024 (Reorg.) | Monday, July 8, 2024 |
| Monday, January 22, 2024 | Monday, July 22, 2024 |
| Monday, February 12, 2024 | Monday, August 12, 2024 |
| Monday, February 26, 2024 | Monday, August 26, 2024 |
| Monday, March 11, 2024 | Monday, September 9, 2024 |
| Monday, March 25, 2024 | Monday, September 23, 2024 |
| Monday, April 8, 2024 | Monday, October 14, 2024 |
| Monday, April 22, 2024 | Monday, October 28, 2024 |
| Monday, May 13, 2024 | ***Tuesday, November 12, 2024 |
| **Monday, May 20, 2024 | **Monday, November 18, 2024 |
| Monday, June 10, 2024 | Monday, December 9, 2024 |
| Monday, June 24, 2024 | **Monday, December 16, 2024 |

- *1st Tuesday of month
- **3rd Monday of month
- ***2nd Tuesday of month

Note: Special meetings will be scheduled when needed.

The motion was approved by a vote of 5 to 0. 13

SUBDIVISIONS & LAND DEVELOPMENTS

None

MINUTES

None

ORDINANCES

None

RESOLUTIONS

Resolution No. 2024-05 – Comprehensive Fee Schedule for Community Development Department

Motion made by Mr. Wagner and seconded by Mr. Farrell to adopt Resolution No. 2024-05 updating the comprehensive fee schedule for the Subdivision & Land Development process, building permit process, building code appeals, certificate of occupancy issuance, zoning permits, zoning appeals, stormwater infiltration testing and activities performed in connection with on-lot sewage disposal systems.

Mr. Beil compared the new fee schedule to last year's fee schedule and highlighted the changes.

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

Resolution No. 2024-06 - Consultant Review Fees To Be Paid By Developers In Connection With The Review And Approval Of Subdivisions And Land Developments

Motion made by Mr. Farrell and seconded by Mr. Spaeth to adopt Resolution No. 2024-06 approving consultant review fees to be paid by developers in connection with the review and approval of land development plans and the inspection, review and approval of public improvements and common amenities contemplated by land development projects pursuant to the *Municipalities Planning Code* and the Township Subdivision and Land Development Ordinance.

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

MOTIONS

Lease of Township-owned Property at 4556 E. Valley Road

Motion made by Mr. Wagner and seconded by Mr. Spaeth to approve the Lease Agreement with Leroy C. Stahler, Inc., which would allow for the growing, cultivation and harvesting of crops on Township-owned property at 4556 E. Valley Road, and to authorize the Township Manager to execute said Lease Agreement on behalf of the Township.

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

Lease of Township-owned Property at 4865 W. Hopewell Road (Curly Horse Open Space)

Motion made by Mr. Farrell and seconded by Mr. Wagner to approve the Lease Agreement with Dennis Trexler which would allow for the growing, cultivation and harvesting of crops on a portion of the Township-owned property at 4865 W. Hopewell Road, and to authorize the Township Manager to execute said Lease Agreement on behalf of the Township.

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

CORRESPONDENCE AND INFORMATION ITEMS

None

DIRECTION/DISCUSSION ITEMS

Review Agenda for Zoning Hearing Board meeting on January 8, 2024

Mr. Beil briefly reviewed the lone appeal on the Docket for the January 8, 2024 Zoning Hearing Board meeting. It was determined the appeal involves a routine matter that can be handled by the Zoning Hearing Board without input from the Board of Supervisors.

A brief discussion ensued as to whether Zoning Hearing Board decisions set precedence.

BILLS, PAYROLL AND COMMISSIONS

Warrant Detail Invoice List dated December 29, 2023 for Report Dates: 12/29/2023 – 1/2/2024

Motion made by Mr. Spaeth and seconded by Mr. Wagner to authorize payment of the Warrant Detail Invoice List dated December 29, 2023.

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

ADDITIONAL BUSINESS

None

COURTESY OF THE FLOOR

None

EXECUTIVE SESSION

At approximately 6:50 p.m., the Board met in Executive Session to discuss the following legal matters:

- Potential litigation involving proposed Route 309 Commerce Center (Kay Lehigh Warehouse Project).
- Current litigation involving proposed Aldi grocery store at 4373 Route 378.

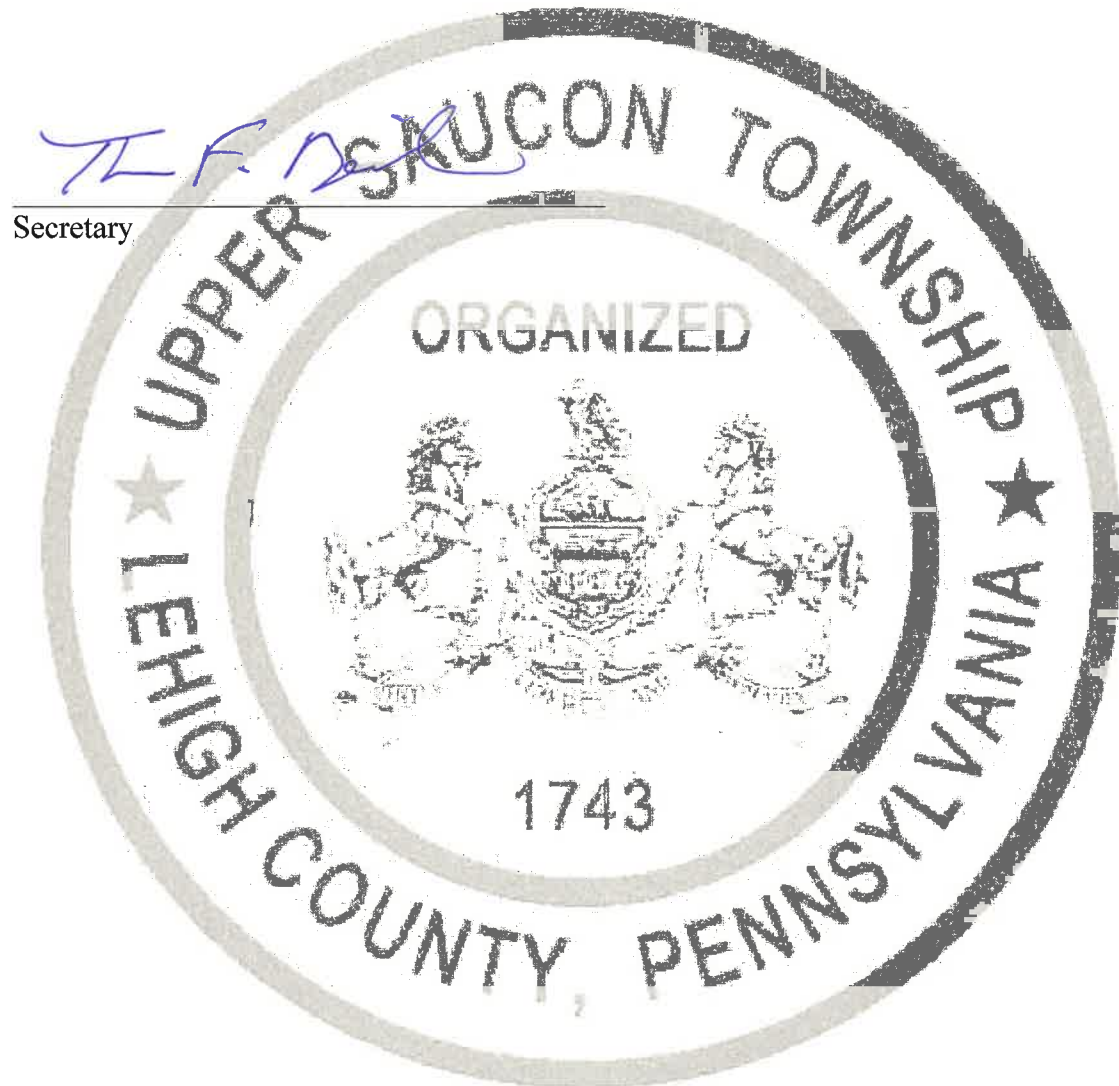
At approximately 8:46 p.m., the Board returned from Executive Session.

ADJOURNMENT

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

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

The meeting was adjourned at approximately 8:47 p.m.



Secretary