

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on November 3, 2011 in the Municipal Building at 7:00 P.M. Those present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitors William and Andrew Schantz, Township Engineer Dean Haas, DCD Ken Molony and Assistant Secretary Owen M. Bastian.

Chairman Edward J. Earley opened the meeting and asked all present to join him in the Pledge of Allegiance to the flag of the United States.

Chairman Edward J. Earley stated that the minutes of the previous meetings would not be read unless there was some objection. Upon motion by Vice-Chairman Samir P. Ashmar, seconded by Chairman Edward J. Earley, and unanimously approved it was agreed to dispense with the reading of the minutes of the previous meetings. The minutes of the previous meetings, October 6 and 21st, are approved as presented.

Chairman Edward J. Earley presented the bills for the month of October totaling General Fund \$1,966,859.15 and Sewer Fund \$966,321.94. Upon motion by Secretary Rader, seconded by Vice-Chairman Samir P. Ashmar, and unanimously approved Treasurer Barry Moyer is authorized to pay the bills for the month of October, General Fund \$1,966,859.15 and Sewer Fund \$966,321.94.

Chairman Earley then introduced Ken Molony, the new Director of Community Development, for the Township. Mr. Molony replaces Mr. Wlazelek who has retired. Ken currently serves as a building official for the Township. He will combine his new duties with his existing duties. Forty five persons applied for the position, five were interviewed by the Board. Question was raised "Why not combine the DCD duties with a Township Manager". Chairman Earley stated that he does not see the need for a Township Manager at this time. Mr. DeVeechio read a list of municipalities in the County with managers. It shows only two municipalities without managers. Vice-Chairman Ashmar said the Township is trying to be diligent with money. By giving Ken extra duties it saves the Township the cost of one salary. The position of Township Manager may be addressed again some time in the future.

PUBLIC COMMENTS - NONE

RECREATION BOARD - NO REPORT

PLANNING COMMISSION REPORT

The Planning Commission met on October 19, 2011, reviewed the following plans and makes the following recommendations:

APPROVALS: NONE

REVIEWS WITH NO DECISION:

Docket #2068 - Above and Beyond Personal Care Facility - Developer has granted an extension until January 31, 2012, for action on their plan.

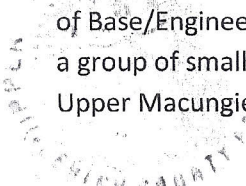
Docket #2108 - Jaindl Land Company - Rezoning Request LV West 2, Industrial Subdivision - Plans reviewed with no decision, developers to return.

FINAL PLAN APPROVAL

Docket #2107 - Compass Business Center LLC - Subdivision/Land Development Plan - Engineer Haas explained that this involves a tract of 4.29 acres at 3140-B Tilghman Street #202 being developed for 11 small warehouse/flex office type buildings with 9 shown as 2,500 SF, one at 5,000 SF, and one at 6125 SF, with 92 parking spaces with access along Tilghman Street.

DECISION

Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley, and unanimously approved Docket #2107, the subdivision/Land Development Plan for Compass Business Center as shown on plans of Base/Engineering, Sheet 1 of 1, minor subdivision and sheet 1 of 14 Land development plans showing a group of small warehouse/flex office type buildings is hereby approved by the Board of Supervisors of Upper Macungie Township.



FIRE COMMISSIONER'S REPORT

Fire Commissioner/Emergency Management Coordinator Grant Grim's report showed that the fire companies answered 166 calls during the month of October. As a result of the weekend snow storm there are still 21 residents in the Township without power. The emergency shelter closed at noon today. He thanked members of the CERT team and local businesses for their cooperation during the storm. The new aerial truck arrived in Trexlertown today. The original cost estimate of \$848,609.00 was reduced to \$807,238.72. Some of the things that reduced the price were an interest on the down payments of \$8,783.28, a pre/pay discount of \$5,000.00 on the truck and a pre/pay discount on the chassis of \$9,724.00.

PUBLIC WORKS REPORT

Public Works Director Scott Faust's report was received. Regular maintenance work was proceeding until the snow storm. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the following schedule for picking up branches and tree limbs was approved. **As a result of the October 29th snow storm, Upper Macungie Township will be picking up branches and tree limbs. The collection will start on Wednesday, November 9th. All branches and limbs for pickup must be curbside (on the house side of the curb, not in the street) by Tuesday evening, November 8th.** Street trees are the responsibility of the homeowners. Branches and limbs may be not more than 5" in diameter and cut to length that one person can handle. Anything bundled, tied together, or larger than the above mentioned size will not be collected. Collection will be hindered if branches are tangled on large piles. Resident's cooperation for the unusual event will be greatly appreciated.

This is a ONE TIME pick up for residents only. Businesses, condominiums, apartments, manufactured home parks, etc. are EXCLUDED.

Leaf collection has been suspended for this event and will resume on Monday, November 14th.

The Yard Waste Drop Site will be open everyday, from 7:00 AM to 5:00 PM until Sunday November 13th. Starting Monday, November 14th the regular winter hours will apply.

ZONING REPORT

The report of the Zoning Officer, Al Geosits, for the month of October was received and showed 71 permits issued: 2 for new residences, 12 for residential additions/alterations, 1 for new commercial/industrial buildings, 11 for commercial/industrial additions/alterations, 45 miscellaneous, plus 3 electrical licenses and 2 plumbing licenses.

The Zoning Hearing Board of Adjustment heard the following appeals:

#101112 - The appeal of Darrin McCarty, 6187 Palomino Drive- for a variance to maximum height of fence in the front yard - GRANTED

#101113 - The appeal of Mountainhome Development Associates, L.P. and Summit Realty Advisors- 621 Delaware Stgreet, New Castle, DE. with property at 1024 Cetronia Road in an HC Zone - for a variance to maximum building square footage for a convenience store and a variance to reduce required seventy-five (75') buffer yard along southern property line. - GRANTED

#101114 - The appeal of Ira & Ann Van Scyoc - 601 North 40th Street, Allentown with property at 5619 Tilghman Street in an HC Zone. - variance to maximum building coverage and front yard setback from Crackersport Road to construct and accessory building. - GRANTED

Vice-Chairman Ashmar questioned approval of variances granted by the Zoning Hearing Board. The Board appears to grant a lot of variances without any other opinions. Solicitor Andrew Schantz explained that the Zoning Ordinance has provisions for variances and conditional uses. Possibly the Planning Commission should review more cases prior to action by the ZHB. Appeal notices also should be send to Solicitors for the Board of Supervisors and the Chairman of the Planning Commission.

LEHIGH TAX COLLECTION COMMITTEE REPORT - No Report



OLD BUSINESS

Cetronia Ambulance Corps Agreement - Update - Fire Commissioner Grim reports that work to improve the response time in UMT is being worked on.

Amazon.com - Update - Proposed Driveway Access for 650 Boulder Drive - Appearing were Parick J. Reilly, representing Amazon, Bill Bumper of Liberty Property Trust and Scott Stenroos, Traffic Engineer. Engineer Stenroos described the project. Proposed is a right turn-in/right turn-out driveway access onto Grim Road to alleviate traffic conditions on Boulder Drive during the peak season. One waiver is required, SALDO 401.4.B./501.6.B, concerning the erosion and sedimentation control plan. If approved the project could be started immediately and completed by November 23, 2011. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the plan for driveway access for 650 Boulder Drive to Grim Road, including the waiver concerning the erosion and sedimentation control plan is hereby approved by the Board of Supervisors of Upper Macungie Township.

Vice-Chairman Ashmar then thanked Amazon for their cooperation in improving the traffic problem. He then read a list of things Amazon has agreed to do to improve traffic in the area:

1. A light pole with the proposed new driveway improvements.
2. To improve traffic flow during peak season shift changes Amazon will hire traffic coordinators and place temporary lighting at the intersection of Boulder Drive and Industrial Boulevard and traffic coordinators at the proposed new driveway on Grim Road.
3. Beginning November 14, Amazon will provide free transit passes to associates.
4. Amazon will fund LANTA to add two additional round trips to bus route 213 beginning November 6.
5. Amazon will provide incentives to encourage ride sharing and carpooling.
6. Amazon will improve traffic signage within the parking lots.
7. Amazon will provide shuttle service to and from the larger upper lot.
8. Amazon will provide enhanced signage directing associates to alternate routes between parking lots and I-78.
9. Amazon will create new shift patterns.
10. Amazon will install a gate closing the exit from the larger upper lot to Grim Road between early January and early October.
11. Amazon is working on a plan to provide associates with assigned parking areas.

Traffic Enforcement in Private Developments - Chairman Earley reported that residents of the Applewood Association, Coldwater Crossings and the Parkland View Apartments. Developments have requested Traffic Law enforcement in their developments. Solicitor Andrew Schantz stated that one of the requirements would be a traffic study of the developments. The cost of the study, in his opinion, should be covered by the local associations. The study may also show where parking should be allowed or banned. After further discussion the Solicitor is to reply to the various associations with the conditions and costs involved to add local police traffic enforcement in their area.

Act 537 update - Engineer Haas reported that the Planning Commission has recommended approval of the Act 537 plan. The next step is to schedule a public hearing on the plan. Several amendments to the Zoning Ordinance are also ready for a public hearing. The two items could be combined into one hearing. Solicitor Andrew Schantz reported that due to advertising requirements the hearing could be scheduled any time after December 12th. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved a public hearing is to be scheduled any time after December 12th for review of the Act 537 plan and the Zoning Amendments.

NEW BUSINESS

Ordinance 2011-7 - Amendment to UMT Employee Pension Plan - Solicitor Andrew Schantz explained that this amendment is required to keep the UMT plan in compliance with State requirements. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley, and unanimously approved it is RESOLVED that ORDINANCE @2011-7 "AN ORDINANCE OF UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AMENDING THE PENSION PLAN FOR EMPLOYEES OF UPPER MACUNGIE

TOWNSHIP IN ORDER TO COMPLY WITH THE PENSION PROTECTION ACT OF 2006 AND THE HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008 (HEART) EFFECTIVE AS PROVIDED IN THE AMENDMENT" is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Bid Awarding - Berks/Lehigh Regional Police Building

CC Construction has received the following bids on October 24, 2011, and recommends award:

Site Work -	Scheuermann Excavating	\$149,855.70
Metals	Szoke Iron Works, Inc.	\$ 70,900.00
Metal Roofing	The Gehringer Corporation Including Alternate #1	\$99,269.00
Elevator -	Schindler Elevator Corporation	\$ 33,530.00
Sprinkler	D.S. Correll	\$ 59,675.00
Electrical High Peak Electrical	\$159,655.00 Alternate #1 substitute parabolic fixtures in lieu of direct/indirect lights - deduct \$4,100.00 = new price	\$155,555.00

The following bids were received October 25, 2011, and award recommended:

Carpentry	Serfass Construction	\$228,000.00
EIFS	Duggan & Marcon	\$ 41,984.00
Drywall & Ceilings	R.L. Reppert	\$120,455.00
Flooring	Lehigh Valley Floor Covering	\$ 26,600.00
Painting	Walt's Professional Painting Inc.	\$ 19,280.00

Engineer Haas reported that the bids are all within 5% of the original estimates and recommends award.

Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar, and unanimously approved the eleven bids received for the new BLRP building are hereby awarded as per recommendation of the Construction Manager, CC Construction Services.

Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously voted that the HVAC must be rebid. Also, since there were no bids received for the overhead doors, aluminum and glass, that too must be rebid.

Parkland School District - Recreation Charges - Secretary Rader reported that the School District is charging for use of the new Jaindl Elementary School for use of volley ball courts at night by Township residents. During construction the Township made various concessions to the School District. The Township thought these concessions would give the Township permanent use of the courts for recreation. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved Secretary Rader is to send a letter to the Parkland School District to try to correct the misunderstanding.

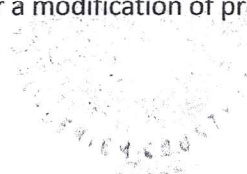
Osterman Nursery - Waiver Request - Several trees on their property are overgrown and obstruct traffic at the entrance off Main Street in Fogelsville. They recommend planting 24 Euonymus alatus compactus (Dwarf Winged Enonymus) 18/24" and 24 Juniperus sabina (Tan Juniper) 18/24"planted on 48" center. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the waiver is hereby approved.

2012 BUDGET PRESENTATION

Treasurer Moyer - The good news is there will be no tax increase for 2012, for real estate tax, no sewer and no refuse and recycling increase. The budget is \$16,536,000.00, up from \$14,775,200.00 in 2011. The increase is covered by a \$510,000.00 expected increase in earned income tax, \$89,000.00 in rent from the State Police barracks and a \$860,000.00 transfer from the Capital Reserve Fund. The budget will be open for public review until the next meeting of the Board on December 1, 2011. Anyone wanting more detail should stay after the meeting and see Treasurer Moyer.

BERKS/LEHIGH POLICE REPORT - BLRP Police Commission - Update

Vice-Chairman Ashmar reports - No answer has been received from the Commission about the request of UMT for a modification of provisions of the Charter concerning voting rights, penalty for withdrawing



from the Commission and pension. Maxatawny Township will not consider any changes to the Charter or location of the Police building. One of the major problems is the allocation of expenses. Originally UMT paid about 50% of the cost, today UMT pays about 76% of the cost and only has one vote on the Commission. Chairman Earley feels that UMT should have 50% voice on the Commission and the other 50% divided among the other 3 municipalities. Both Secretary Rader and Vice-Chairman Ashmar are against such an agreement. Vice-Chairman Ashmar reviewed the Police Budget. He said many line items had no description. UMT is allowed only a 25% voice in how the budget is spent. He then made a motion, seconded by Secretary Rader and unanimously approved not to approve the 2012 BLRP budget. He then made another motion that a transition team be formed to study how UMT could withdraw from the BLRP charter and continue to pursue withdrawal. After withdrawal UMT would start it's own Police department and could offer contract services to the other municipalities, or they could continue with their own departments, Secretary Rader seconded the motion and with Chairman Earley voting no, the motion passed on 2 to 1 vote. Vice-Chairman Ashmar emphasized that this is nothing against any of the current officers who are doing an excellent job.

CHAIRMAN EARLEY -

Just a reminder that Tilghman Street in the Kuhnsville area will be closing, for a period of from 5 months to a year, for repairs to the bridge. More information on the closing to come.

VICE-CHAIRMAN ASHMAR - Nothing more

SECRETARY RADER -

Executive sessions were held on October 7th @3 P.M and October 10th @t 2 P.M. concerning personnel issues and on October 20th @ 4 P.M. concerning possible litigation.

At the recent shredding event two and a quarter tons of paper were shredded.

Notice received from FEMA that a nationwide emergency alert test will be held at 2 P.M. on November 9th. Test should last for about 3 minutes.

Correspondence - Request received from Mr. Jung Cho and Curt Davis to establish a lower speed zone in their development. The current speed is 25 MPH. Engineer Haas explained that a 25 MPH limit is as low as the Township goes.

PUBLIC COMMENTS - None

Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley, and unanimously approved the meeting was adjourned at 9:10. Next regular meeting December 1, 2011 at 7:00 P:M.



Kathy A. Rader, Secretary

