

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on December 1, 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, Solicitor Andrew Schantz, Township Engineers Dean Haas and Scott Stenroos, 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 Earley stated that the minutes of the previous meeting would not be read unless there was some objection. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved it was agreed to dispense with the reading of the minutes of the previous meeting. The minutes of the previous meeting is approved as presented.

Chairman Earley presented the bills for the month of November totaling General Fund \$1,207,790.01 and Sewer Fund \$92,045.82. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved Treasurer Moyer is authorized to pay the bills for the month of November, General Fund \$1,207,790.01 and Sewer Fund \$92,045.82.

COMMENTS

Chairman Earley then asked for comments from the floor from anyone not planning to stay for the entire meeting. No response.

RECREATION BOARD

The Board report showed some of the projects being planned for 2012. Open Indoor Volleyball program continues each Wednesday evening from 8 to 10 PM at the Jaindl Elementary School; a Boat and Watercraft Class on February 11th; a Wounded Warrior 5K Run/1mile walk on May 6th; a Geocaching event on May 19th; Movies in the Park on June 15th, July 13th and August 10th; and another 5K Run/1 Mile Walk on October 7th. The next meeting of the Recreation Board will be held in the Independent Park Community Center on Thursday December 29th at 7 P.M. The meeting is open to the public.

PLANNING COMMISSION -

The Upper Macungie Township Planning Commission met on November 16, reviewed the following plans and has the following recommendations:

APPROVAL:

Docket #2108 - It is recommended to the Board of Supervisors that the application of the Estate of Frederick J. Jaindl to amend the Township Zoning Ordinance Map District Boundaries and move the 25 acre HC zone from Lot 9 to Lot 6 of the LVWII Industrial Park, the 25 acres of Lot 9 will be LI, be approved.

Reviews with no decisions, developers to return:

Docket #2111 - NIAGARA BOTTLING WATER - 7561 Industrial Boulevard

Docket #2110 - SUMMIT REALTY COMMERCIAL DEVELOPMENT - 1046 Weiler & 1024 Cetronia Roads

Docket #2112 - 151 BOULDER DRIVE - 151 Boulder Drive

Docket #2113 - PROJECT PILGRIM - 151 Boulder Drive

FINAL PLAN APPROVAL

Docket #1845 - Highgate SF-3 (Single Family Homes) - Proposed is the recording of Phase SF-3 five (5) building lots at the intersection of Yorkshire Drive and Buckingham Road. Engineer Haas reported that the developer has given required security for the development. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved it is RESOLVED that RESOLUTION #2011-A RESOLUTION OF THE BOARD OF SUPERVISORS APPROVING DOCKET #1845, HIGHGATE PHASE SF-3 (SINGLE FAMILY HOMES), FOR RECORDING FIVE (5) BUILDING LOTS AT THE INTERSECTION OF YORKSHIRE DRIVE AND BUCKINGHAM ROAD AS SHOWN ON PLANS OF LANGAN ENGINEERING JOB #3589003, is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Docket #2108 - Jaindl Rezoning - The Planning Commission has recommended the application for the Jaindl Rezoning. A hearing must now be set for public comments, to comply with the MPC. Vice-Chairman Ashmar voiced concerns about future traffic problems in the area. Why not wait until more land development plans are available. Engineer Stenroos said that a traffic study would be required. Some of the information for the study could be gotten from former studies that have been done of the area. Land development plans are needed for a complete study. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved December 21, 2011, at 6 P.M. was set as the date for a public hearing.

FIRE COMMISSIONER REPORT

Fire Commissioner/Emergency Management Coordinator Grant Grim's report showed that the fire companies answered 116 emergency responses during the month of November. He invited anyone interested to view the new 125' Quint fire truck in the parking lot. The firemen need training before the truck can be put into service.

PUBLIC WORKS REPORT

Work is still continuing on cleaning up from the last snow storm together with leaf collection.

ZONING REPORT

The report of the Zoning Officer, Al Geosits, for the month of November was received and showed 67 permits issued: 9 for new residences, 6 for residential additions/alterations, 1 for new commercial/industrial buildings, 16 for commercial/industrial additions/alterations, 35 miscellaneous, plus 8 electrical licenses and 4 plumbing licenses.

The Zoning Hearing Board of Adjustment heard two appeals during the month of November:
 #111115 - The appeal of Heritage Construction Company, 865 Easton Road, Warrington, Pa: for a variance to maximum driveway slope. The property is located at 1010 King Way and is zoned R3. - GRANTED
 #111116 - The appeal of Brent & Robin Musselman, 2418 Church View Road, Coopersburg, PA: for an interpretation and/or special exception and/or allow a variance to allow a chiropractor office in addition to existing Contractor Office (i.e. S & D Renovations). The property is located at 9620 Hamilton Boulevard and is zoned R2. - GRANTED

LEHIGH TAX COLLECTION COMMITTEE REPORT

Mr. Ron Kistler gave the following report. Berkheimer Associates has been selected as the collector for the earned income tax effective January 1, 2012. The EIT for 2011 must be paid to the Parkland School District. Employer training sessions have been held for employers in the Township.

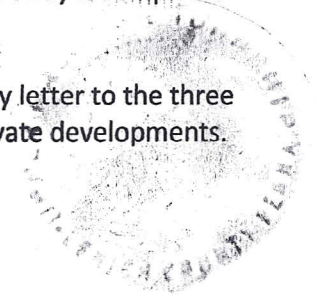
OLD BUSINESS

Cetronia Ambulance Corps Agreement - Update - EMC Grim reported that response time for ambulances is being worked on. The Township is receiving excellent service and has an excellent working relationship with Cetronia. No contract has been completed. Secretary Rader spoke to someone from Cetronia about completing the contract or a letter for their file from UMT. EMC Grim will talk with representatives of Cetronia.

537 Plan - Update - Engineer Haas reported that the UMTPC and the LVPC both have recommended approval of the plan and the next step is to hold a public hearing on the plan. Upon a motion by Chairman Earley, seconded by Secretary Rader, and unanimously approved advertising and authorizing a special meeting to be held at 6:45 P.M. December 21, 2011, for the purpose of having a public hearing for public comments on Act 537 plan.

Amazon.com - Update - Proposed Driveway Access for 650 Boulder Drive - Engineer Stenross reported that the driveway onto Grim Road to alleviate traffic conditions on Boulder Drive during the peak season should be done tomorrow (Dec. 2) night, all except the landscaping. After road/driveway is completed Engineer will review the traffic problem.

Traffic Enforcement in Private Developments - Solicitor Schantz has prepared a reply letter to the three developments involved showing requirements for police traffic enforcement in private developments.



Parkland School District - Recreation Charges - A letter was sent to Parkland School District and is currently being considered by the School Board.

NEW BUSINESS

Bid Awarding - Grange Road Park Phase 1, Stage 5C - Concession Stand and Restroom with Baseball Fields & Site Improvements. Engineer Haas reported that the bids came in above estimates. These estimates were exceeded due to addition of extra fencing, ADA sidewalks and porous concrete sidewalk and basins to meet DEP Water Quality Standards. The first option would be to remove the northwestern ball field and associated site improvements, as well as the proposed outfield fence on the southeast ball field. This option would eliminate costly porous concrete sidewalk that was required for ADA access and DEP water quality regulations. Again, we have broken down costs based on unit prices provided within apparent low bids. We would have to contact the low bidders and see if the same unit prices would hold if the project reduced in size.

After further discussion, upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the recommendation of Engineer Haas to proceed with one less ball field is hereby approved. The engineer is to contact the low bidders and see if they will keep the same unit prices if the project size is reduced. If the same unit prices are acceptable to low bidders then the following contracts are hereby awarded:

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|-------------------------------|---------------------------|--------------|
| Site improvements | A. Scott Enterprises Inc. | \$169,924.40 |
| General Building Construction | John G. Membrino | 79,940.00 |
| Electrical Construction | John G. Membrino | 18,395.00 |
| Plumbing Construction | John G. Membrino | 16,900.00 |
| | Total Contract Amounts: | \$285,159.40 |

Complete list of all bids and bidders available in the office of the Secretary.

Tilghman Street Closing - PennDOT officials report that the replacement of two (2) bridges on Tilghman Street, (old route 22) will begin on March 13, 2012. The contractor will be working 7 days, 12 hours and the project should be completed in five and one half months (5 1/2). They will also do some maintenance work on the railroad tracks. They have contacted the BLRP for aid in traffic control while the project is being constructed. A representative of PennDOT will attend the Township meeting in February to give the public details of the project.

2012 Budget - Chairman Earley asked for comments, there were none. Upon motion by Chairman Earley and seconded by Vice-Chairman Ashmar and unanimously approved, the 2012 budget RESOLUTIONS #2012-1 AND #2012-2 of Upper Macungie Township are hereby adopted:

RESOLUTION #2012-1 - A RESOLUTION APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSE OF THE MUNICIPAL GOVERNMENT, HERFEINAFTER SET FORTH, DURING THE YEAR 2012 BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA.

SECTION 1. THAT FOR THE EXPENDITURES AND EXPENSES OF THE FISCAL YEAR 2012 THE FOLLOWING AMOUNTS ARE HEREBY APPROPRIATED FROM THE FUND EQUITIES, REVENUES AND OTHER FINANCIAL SOURCES AVAILABLE FOR THE YEAR 2012 FOR THE SPECIFIC PURPOSES SET FORTH IN THE AMOUNT OF \$16,536,000.00 GENERAL BUDGET; \$2,190,000.00 REFUSE/RECYCLING BUDGET; AND \$5,761,000.00 SEWER AUTHORITY BUDGET.

SECTION 2. THAT ANY RESOLUTION CONFLICTING WITH THIS RESOLUTION BE AND THE SAME IS HEREBY REPEALED INSOFAR AS THE SAME AFFECTS THIS RESOLUTION.

DULY ADOPTED THIS 1ST DAY OF DECEMBER 2011, BY THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP IN A LAWFUL SESSION DULY ASSEMBLED.

RESOLUTION #2011-2 - A RESOLUTION OF THE TOWNSHIP OF UPPER MACUNGIE, IN THE COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2012.

BE IT RESOLVED AND ENACTED AND IT IS HEREBY RESOLVED AND ENACTED BY THE BOARD OF TOWNSHIP SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA; WITHIN THE TOWNSHIP OF UPPER MACUNGIE, SUBJECT TO TAXATION FOR THE FISCAL YEAR 2012 AS FOLLOWS:

TAX RATE FOR GENERAL PURPOSES, THE SUM OF TWO (2) MILLS ON EACH DOLLAR OF ASSESSED VALUATION, OR THE SUM OF 20 CENTS ON EACH ONE HUNDRED DOLLARS OF ASSESSED VALUATION.

FOR STREET LIGHT PURPOSES, A FRONT FOOT BASIS IS USED AS FOLLOWS: FOGELSVILLE - .38: TREXLERTOWN - .30: BREINIGSVILLE - .35: CHAPMANS - .33: ALL OTHER AREAS BASED ON A PER LOT ASSESSMENT.

FOR FIRE HYDRANT PURPOSES, THE SUM OF .27 MILLS ON EACH DOLLAR OF ASSESSED VALUATION, OR THE SUM OF .027 CENTS ON EACH 100 DOLLARS OF ASSESSED VALUATION.

FOR GENERAL PURPOSES THE FOLLOWING LOCAL TAX ENABLING TAXES; REAL ESTATE TRANSFER ONE-HALF PER CENT; EARNED INCOME TAX ONE-HALF PERCENT; THAT ANY RESOLUTION OR PART RESOLUTION, CONFLICTING WITH THIS RESOLUTION BE AND THE SAME IS HEREBY REPEALED.

ENACTED ON NOVEMBER 29, 2007, A LOCAL SERVICE TAX OF FORTY-SEVEN DOLLARS (\$47.00) FOR THE PRIVILEGE OF ENGAGING IN AN OCCUPATION WITHIN THE TOWNSHIP OF UPPER MACUNGIE, PROVIDING DEFINITIONS OF SAID TAX, PROVIDING EXEMPTIONS FROM THE TAX, ESTABLISHING COLLECTION PROCEDURES AND ESTABLISHING PENALTIES FOR VIOLATION OF THESE REGULATIONS, IN ACCORDANCE WITH PENNSYLVANIA ACT 7 OF 2007.

DULY ADOPTED THIS 1ST DAY OF DECEMBER, 2011, BY THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP IN A LAWFUL SESSION DULY ASSEMBLED.

BERKS/LEHIGH POLICE -

Due to the resignation of Chief Weiser, Sgt. Roger Heins has been appointed interim Chief starting January 1, 2012.

The transition team has started to work.

New Police Station - Update - Contractor waiting for steel delivery.

Furnishings

Chairman Earley made a motion, seconded by Vice-Chairman Ashmar, and unanimously approved to purchase furnishings for the new building from COSTARS for a sum not to exceed \$165,000.00.

Security System addition to Fire Alarm System - Waiting for prices.

Chairman Earley made a motion, seconded by Vice-Chairman Ashmar and unanimously approved to purchase a Tiffin Evidence Locker for the sum of \$4,500.00

CHAIRMAN EARLEY - Nothing more.

VICE-CHAIRMAN ASHMAR - Vice-Chairman Ashmar made a motion, seconded by Secretary Rader and unanimously approved that the salaries of the Supervisors remain the same for 2012, no increase.

SECRETARY RADER

The Christmas Tree lighting ceremony in Fogelsville will be held on Sunday, December 4, at 6:30 P.M.

Executive Session - November 18th at 2 P.M. to discuss possible litigation.

Secretary Rader recommended that the Re-organization meeting be held January 3, 2012 at 7:00 P.M. with the regular meeting following, also a special meeting to act upon the 537 plan update and the Jaindl rezoning request, these two could be combined into one. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley, and unanimously approved the re-organization meeting of the Board will be held on January 3, 2012 at 7 P.M. with the regular meeting following and a special meeting be held on December 21, 2011 at 6:50 P.M. to act on 537 Plan updates and Jaindl rezoning request.

PUBLIC COMMENT - None

Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the meeting was adjourned at 8:20 P.M.

Kathy A. Rader
Kathy A. Rader, Secretary