

UPPER MACUNGIE TOWNSHIP  
BOARD OF SUPERVISORS

January 3, 2012

The annual re-organization meeting of the Board of Supervisors of Upper Macungie Township was held this date at 7 P.M. in the Municipal Building. Those present were Edward J. Earley, Samir P. Ashmar, Kathy A. Rader, William and Andrew Schantz, Dean Haas, Scott Stenroos, Ken Molony, and Owen Bastian.

Supervisor Earley asked all those present to join him in the Pledge of Allegiance to the flag of the United States.

Upon motion by Supervisor Sam Ashmar, seconded by Edward Earley and unanimously approved Supervisors Edward J. Earley took the position of Temporary Chair with Kathy A. Rader as Temporary Secretary.

Chairman Earley stated that the Board has a consent agenda. The agenda will be read, if there are any objections they will be acted on separately, if no objections the agenda will be adopted as a whole.

Chairman Earley then read the agenda:

Chairman - Edward J. Earley  
Vice-Chairman - Samir P. Ashmar  
Secretary - Kathy A. Rader  
Treasurer/Business Manager - Barry L. Moyer

Treasurer's Bond - \$1,000,000

Depository for Township Funds - First Niagara Bank (Vice-Chairman Ashmar will review this at a later date)

Appointment of Roadmasters - Edward J. Earley, Samir P. Ashmar & Kathy A. Rader

Appointment of Team Managers - Scott Faust, Grant Grim, Barry Moyer, Richard Henderson & Ken Molony

Township Legal Counsel - Board of Supervisors, Planning Commission & UMTA - William E. Schantz Esq. & Andrew V. Schantz, Esq., Davison & McCarthy, P.C.

Zoning Hearing Board Counsel - Steckel & Stopp Law Offices

Township Engineer - Board of Supervisors, Planning Commission & UMTA - Keystone Consulting Engineers Inc.

Auditors - (UMT & UMTA) France, Anderson, Basile & Company P.C.

Vacancy Board - John Kuhns

Building Code Board of Appeals - Barry Isett (5yr. term expires 2016)

Impact Fee Committee - Three vacant seats

Planning Commission - Owen M. Bastian & Kenneth Pavkovic (4 yr. term expires 2015)

Zoning Hearing Board - Donald W. Peters (5 Yr. Term expires 2016)

Upper Macungie Township Authority - Edward J. Earley, Samir P. Ashmar, Kathy A. Rader, Barry L. Moyer & Owen Bastian

Recreation Board - Warren Hess & David Kentner (5 yr. term expires 2016)

Berks/Lehigh Police Commission - Edward J. Earley & Samir P. Ashmar



Delegates to PSATS annual Conference & NaTAT Conference - Edward J. Earley, Samir P. Ashmar and Kathy A. Rader

2012 Mileage Rates - (IRS 2012 Mileage Rates) 55..5 per mile for business miles driven

2012 Holiday Schedule

January 1 (January 2, 2012)	New Year's Day
February 20	President' Day
April 6	Good Friday
May 28	Memorial Day
July 4	Independence Day
September 3	Labor Day
November 12	Veterans' Day
November 22 & 23	Thanksgiving Holiday
December 24 & 25	Christmas Holiday

2012 Meeting Schedule

All meetings are open to the public and all residents are encouraged to attend.

The Board of Supervisors meet on the 1st Thursday of the month at 7:00 P.M. with the exception of January's meeting being January 3, 2012 at 7:00 PM.

The UMTA meets the 2nd Thursday in the months of January, April, July and October at 4:00 PM.

The Zoning Hearing Board meets the 2nd & 4th Wednesday of the month at 6:30 PM.

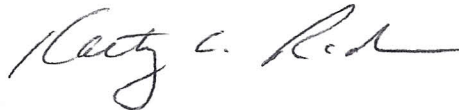
The Planning Commission meets the 3rd Wednesday of the month at 7:00 PM. The Planning Commission Work Session meets the Monday prior to the meeting at 7:00 PM.

The Recreation Board meets the last Thursday of the month at 7:00 PM.

Chairman Earley then asked if there were any objections, hearing none, he asked the Board for action on the consent agenda. Vice-Chairman Ashmar moved that the consent agenda be adopted as read, Secretary Rader seconded the motion and it was unanimously adopted.

Upon motion by Vice-Chairman Ashmar, seconded by Secretary Rader and unanimously approved the meeting was adjourned at 7:07 P.M.

Kathy A. Rader, Secretary



UPPER MACUNGIE TOWNSHIP  
TOWNSHIP AUTHORITY

January 3, 2012

The annual re-organization meeting of the Upper Macungie Township Authority was held this date at 7:07 P.M. in the Municipal Building. Those present were Edward J. Earley, Samir P. Ashmar, Kathy A. Rader, William and Andrew Schantz, Dean Haas, Scott Stenroos, Ken Molony, and Owen Bastian.

Chairman Earley asked all those present to join him in the Pledge of Allegiance to the flag of the United States.

Chairman Earley stated that the Authority has a consent agenda. The agenda will be read, if there are any objections they will be acted on separately, if no objections the agenda will be adopted as a whole.

Upon motion by Sam Ashmar, seconded by Kathy A. Rader, and unanimously approved Edward Earley was appointed Temporary Chairman with Kathy A. Rader as Temporary Secretary.

Chairman Earley then read the agenda:

Chairman - Edward J. Earley  
Vice-Chairman - Samir P. Ashmar  
Secretary - Kathy A. Rader  
Treasurer - Barry L. Moyer  
Member - Owen M. Bastian

Depository for Authority Funds - First Niagara Bank (Vice-Chairman Ashmar will review this at a later date.)

Authority Legal Counsel - William E. Schantz Esq. & Andrew V. Schantz Esq. Davison & McCarthy, P.C.

Authority Engineer - Keystone Consulting Engineers

Authority Auditor - France, Anderson, Basile & Company, P.C.

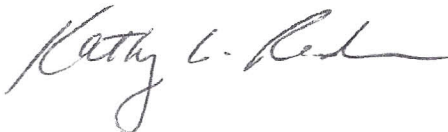
Holiday Schedule - Same as approved by Board of Supervisors for 2012

Meeting Schedule - 2nd Thursday of the Month at 4:00 PM - January, April, July & October, if needed.

Chairman Earley then asked if there were any objections, hearing none, he asked the Authority for action on the consent agenda. Vice-Chairman Ashmar moved that the consent agenda be adopted as read, Secretary Rader seconded the motion and it was unanimously adopted.

Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the meeting was adjourned at 7:10 PM.

Kathy A. Rader, Secretary






## BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on January 3, 2012, in the Municipal Building at 7:18 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 Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it was agreed to dispense with the reading of the minutes of the previous meeting. The minutes of the previous meetings are approved as presented.

Chairman Earley presented the bills for the month of December totaling General Fund \$1,225,150.81 and Sewer Fund \$883,178.00. Vice-Chairman Ashmar stated that his son Joshua is a volunteer firefighter and he must abstain from voting for his reimbursement of \$975.00. Secretary Rader's son Brad, is also a volunteer fire fighter and she, too, must also abstain on voting for his reimbursement of \$360.00. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved, Treasurer Moyer is authorized to pay the General Fund bills for the month of December in the amount of, General Fund \$1,223,815.81 (\$1,225,150.81 less the two reimbursements). Upon motion by Secretary Rader, seconded by Chairman Earley, with VC Ashmar abstaining, it is approved to pay the volunteer firemen's reimbursement for Joshua Ashmar in the amount of \$975.00. Upon a motion by Chairman Earley, seconded by VC Ashmar, with Secretary Rader abstaining, it is approved to pay the volunteer firemen's reimbursement for Brad Rader in the amount of \$360.00. A motion was then made by Chairman Earley and seconded by VC Ashmar and unanimously approved to pay the Sewer Fund bills in the sum of \$883,178.00.

#### **COMMENTS**

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

#### **RECREATION BOARD**

Secretary Rader reviewed the report of the Recreation Board. They are planning a tennis and golf program next spring. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the Board is authorized to proceed with the tennis and golf programs. The volleyball games for all ages and abilities meets each Tuesday at either Fogelsville Elementary School or the Jaindl Elementary School from 8 to 10 P.M.

#### **PLANNING COMMISSION**

The Upper Macungie Township Planning Commission met on December 21, 2011, reviewed the following plans and has the following recommendations:

##### APPROVAL:

Docket #2114 - The lot consolidation plan for 611-617 Grammes Lane as shown on plans of BIA, dated November 15, 2011, sheet LC-1 approved as follows:

##### Waivers approved:

1. SALDO Section 403.5.A.2. - Concerning a Carbonate Geology Study.
2. SALDO Section 403.5.D and Section 710 - Concerning street trees.
3. SALDO Section 403.4.H. - Concerning utilities and improvements within 200 feet of the subdivision.
4. SALDO Section 709(1) - Concerning an erosion control plan.

##### CONDITION:

1. Comments of the Township DCD and Engineer must be complied with.

Docket #2115 - The land development plan for 345 Route 100 as shown on plans of Ott Consulting Inc., project No. FEDE 1006, dated 11/23/11, sheets 1 thru 10 and plans WS-1.1 and W-2.1. Approved as follows:



Waiver granted:

1. SALDO 403.4.H - Concerning utilities within 50 feet of boundary.

CONDITION:

1. Comments of Township DCD and Engineer must be complied with.

Docket #2112 - The minor subdivision plan for 151 Boulder Drive as shown on plans of Arthur A. Swallow Associates, job No. 3577, sheet 1, dated 10/19/11, approved.

Reviews with no decisions, developers to return:

Docket #2113 - PROJECT PILGRIM - 151 Boulder Drive

Plan withdrawn:

Docket #1946 - LV West Lot 10 - Land development

### **FINAL PLAN APPROVAL**

Docket #2114 - 611-617 Grammes Lane -Lot Consolidation Plan - Proposed is combining two parcels into one tract. A few engineering details are needed. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it is RESOLVED that RESOLUTION # "A RESOLUTION OF THE BOARD OF SUPERVISORS APPROVING DOCKET #2114 COMBINING TWO TRACTS INTO ONE TRACT AS SHOWN ON PLANS OF BIA , DATED NOVEMBER 15, 2011, SHEET LC-1 BE APPROVED WITH THE CONDITION THAT THE COMMENTS OF THE TOWNSHIP DCD AND ENGINEER ARE COMPLIED WITH" is hereby adopted by the Board of Supervisors of Upper Macungie Township.

### **FIRE COMMISSIONER REPORT**

Fire Commissioner/Emergency Management Coordinator Grant Grim's report showed that the fire companies answered 112 emergency responses during the month of December. During 2011 calls averaged at least three per day. The new 125' Quint aerial #2531 went into service on December 29th.

### **PUBLIC WORKS REPORT**

Regular maintenance work is proceeding. The Community Building at Independent Park is almost complete. Some problems remain with the carpet, work on the parking lot should start January 5th.

### **ZONING REPORT**

The report of the Zoning Officer, Al Geosits, for the month of December was received and showed 98 permits issued: 8 for new residences, 16 for residential additions/alterations, 0 for new commercial/industrial buildings, 28 for commercial/industrial additions/alterations, 46 miscellaneous, plus 43 electrical licenses and 29 plumbing licenses.

In December, the Zoning Hearing Board of Adjustment had no meetings.

The following appeal will be heard on January 25, 2012.

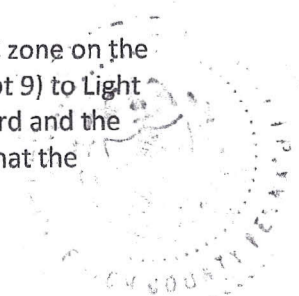
#121117 - The appeal of New Cingular Wireless PCS, LLC, 200 N. Warner Road, King of Prussia, Pa. for a special exception to construct a wireless communication facility. The property is located at 5274 Oak View Drive and is zoned GI.

**LEHIGH TAX COLLECTION COMMITTEE REPORT** - No report

### **OLD BUSINESS**

**Jaindl Rezoning Request** - Solicitor Andrew Schantz reviewed the request to date. A public hearing was held on December 21st before the Board of Supervisors. The proposed Ordinance is swapping the 25 acre HC tract from the intersection of Route 100 and Schantz Road to a 25 acre LI tract south along the west side of Route 100 between Industrial Boulevard and the 222 bypass. The entire 60 acre tract at the intersection would then become LI. The proposed swap was recommended by the UMTPC and the LVPC.

Chairman Earley then made a motion approving the Ordinance that changes the 25 acre HC zone on the 60 acre tract at the southwest corner of the intersection of Route 100 and Schantz Road (Lot 9) to Light Industrial Zone and the 25 acres on the west side of Route 100, between Industrial Boulevard and the Route 222 By-Pass (Lot 6) to a Highway Commercial Zone. He added that this is assuming that the





applicant, Jaindl Land Company, covers all engineering and legal costs, incurred by the Township, regarding this Zoning change application, Secretary Rader seconded the motion and after much discussion, motion passes on a 2 to 1 vote with Vice-Chairman Ashmar voting against approval.

#### COMMENTS

Chairman Earley - The tone was set years ago for the Township. The present Supervisors can only try and do what they feel is best for the Township. The Township will not remain agricultural. He has reviewed information available on the company that is expected to move into the tract of land at the intersection, Ocean Spray. They will bring new higher paying jobs to the Township. They have decided to relocate their facility and selected this as their site for future manufacturing. They will have less traffic than most possible users of the site.

Secretary Rader - Moving the HC zone away from the Elementary School is a plus for the Township. The proposed plant will bring more jobs to the area. She reviewed the uses in both the HC and the LI zones. The problem is where to get funds for the road improvements needed. She recommends a meeting of all entities involved in the Route 100 corridor and ask for help. She has received several E-mails concerning the project. She has asked all the senders to stop at her office and she would review the project with them.

Vice-Chairman Ashmar - Why the rush? It is premature, no reason for the rush. The only one gaining from the change is the developer. We still have no traffic study. This is being done for the developer and his client, not for the Township. Ocean Spray will bring more traffic to an already over-used intersection. What advantage is there to the Township. He reviewed possible taxes that the new project would bring to the Township. As for funds for the road improvements required, the estimate is about \$800,000. The fair share for the developer is estimated at approximately \$45,000. Where is the rest of the money coming from. The Township pays for advice from professionals, what do they think?

DCD Molony - This is a hi-priority project for the State. At a recent meeting of all involved there were heads of many State agencies promising help to advance the project, the only thing they did not promise was MONEY. He agrees it is rushing the project.

Engineer Haas -Years ago a study made by Barton Ashman showed the need for another interchange on I-78 for future truck traffic. Recommendations were made to PennDOT but nothing happened. The Township, with the cooperation of companies along Route 100, has made the improvements recommended by PennDOT. The Zoning Change is not premature in his opinion.

Solicitor William Schantz - This project is of high interest to the Township. It is important. A meeting is needed with interested parties to discuss the project.

Solicitor Andrew Schantz - If there are uncertainties, then the vote could be tabled to get questions answered.

UMTPC Chairman Etowski - Moving the HC district south is in the best interest of the Township.

Traffic Engineer Scott Stenroos - Route 100 north of Schantz Road cannot be widened. A complete traffic study is in progress. Two items are involved, one is zoning and the other is land development. In his opinion the zoning issue is good, it moves some heavy traffic from the HC zone closer to the 222 bypass. The proposed user for lot 9 at the intersection of Schantz and 100 will add less traffic than most HC users.

Chairman Earley then asked for the vote on the motion. (See above.)

**Parkland School District - Recreation Charges** - Secretary Rader reports that the School District will not be charging for use of the Elementary Schools for indoor volleyball.

**Tilghman Street Closing** - Traffic Engineer Stenroos reported that Tilghman Street will be closed from March to August. A representative of PennDOT will be at the Supervisors meeting in February to review the project.

#### NEW BUSINESS

**Emergency Services Resolution** - Solicitor Andrew Schantz explained that the resolution recognizes the emergency service providers in the Township; the fire companies, and the Cetronia Ambulance Corp. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved it is



RESOLVED that RESOLUTION #2012-4 "A RESOLUTION OF THE UPPER MACUNGIE TOWNSHIP BOARD OF SUPERVISORS RECOGNIZING THE OFFICIAL VOLUNTEER FIRE COMPANIES AS THE PRIMARY PROVIDERS OF FIRE SAFETY, EDUCATION AND PROTECTION FOR THE TOWNSHIP OF UPPER MACUNGIE AND RECOGNIZING CETRONIA AMBULANCE CORPS AS PRIMARY PROVIDER OF EMERGENCY MEDICAL SERVICES WITHIN THE TOWNSHIP OF UPPER MACUNGIE, TOGETHER WITH THE TERMS AND CONDITIONS PERTAINING THERETO" is hereby adopted by the Board of Supervisors of Upper Macungie Township.

**2012 Non-Union Employee Wages** - 2% cost of living increase (2012 Budget) Secretary Rader explained that the 2% increase has been included in the 2012 Budget. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the 2% cost of living increase for all non-union employees of the Township is hereby approved.

Chairman Earley then made a motion, seconded by Vice-Chairman Ashmar and approved with Secretary Rader voting against approval, to give a special raise to Fire Commissioner Grim from \$33.00 per hour to \$36.00 per hour, retroactive back to December 2, 2011, with the money to cover said raise to be transferred in the budget from line item #411.256 - Equipment Purchase to #411.131 - Salaries & Wages. Secretary Rader explained that she is against such an increase because it is not in the 2012 Budget. Stephanie Weaver stated that she thought Secretary Rader's dissenting vote was "personal." Mrs. Rader stated that it was not personal and that in her opinion, no one should be getting any special raises in this economy, especially since this raise was not included in the 2012 budget.

**2012 Employee Health Care Co-Pay** - Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved employees will contribute 10% of monthly premium to the cost of their health insurance.

**Keystone Consulting Engineers - Sewage Enforcement & Lot Grading fee Schedule** - Engineer Haas introduced the new fee schedule for their services in 2012. The schedule is about 10% higher than the old schedule. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved it is RESOLVED that RESOLUTION #2012-5 "A RESOLUTION ADOPTING A FEE SCHEDULE BY UPPER MACUNGIE TOWNSHIP FOR SEWAGE ENFORCEMENT SERVICES; LOT GRADING PLAN REVIEWS AND INSPECTIONS AND FOR TREE PRESERVATION PLAN AND FIELD REVIEWS" be and is hereby adopted by the Board of Supervisors of Upper Macungie Township.

**BERKS/LEHIGH POLICE** -

Nothing new to report. The next meeting will be in Maxatawny Township.

New Police Station - Update - Due to the weather conditions the project is about a month behind schedule.

**CHAIRMAN EARLEY** - Nothing more.

**VICE-CHAIRMAN ASHMAR** - A building at 6409 Schantz Road is falling apart and in danger of collapse. He recommends Solicitor notify the bank that owns the building and the Township proceed with a judgment against the owner. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the Township Solicitor is authorized to proceed against the bank to have the building at 6409 Schantz Road removed.

**SECRETARY RADER**

Correspondence - Lehigh Valley Center for Independent Living - They help people with disabilities. They are requesting the Township send a letter of support for a grant application to the Pennsylvania Development Disabilities Council for their agency. Chairman Earley and Vice-Chairman Ashmar both said they never heard of the agency. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar the request is denied by a 2 to one vote with Secretary Rader voting yes.

Executive Session - December 2 @11:30 AM & December 30 @ 11:00 AM both in reference to personnel issues.

**PUBLIC COMMENT** - None

Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the meeting was adjourned at 8:50 P.M.

Kathy A. Rader, Secretary