

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on February 2, 2012, 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 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 meetings are approved as presented.

Chairman Earley presented the bills for the month of January totaling General Fund \$1,423,023.31 and Sewer Fund \$929,152.83. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved, Treasurer Moyer is authorized to pay the General Fund bills for the month of January in the amount of, General Fund \$1,423,023.31 and Sewer Fund \$929,152.83.

COMMENTS

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

RECREATION BOARD - No report.

PLANNING COMMISSION

The Upper Macungie Township Planning Commission met on January 18, 2012, reviewed the following plans and has the following recommendations:

APPROVALS:

Docket #2117 - Fowler Property Lot Line Adjustment - 8914 Brookdale Road - The lot line adjustment as shown on plans off N. D. Remy Associates, dated 12/5/11, be approved.

Docket #2113- Project Pilgrim - The land development plans for Project Pilgrim (Ocean Spray) 151 Boulder Drive, as shown on plans of Liberty Engineering Inc., project #11173, dated 10/19/11, last revised 1/5/12, sheets 1 through 19 be approved as follows:

Waivers:

SALDO Section #403.1 - Waiver to allow a smaller plan scale of 1 inch equal to 60 feet.

SALDO Section #703.3.C - Waiver from requirement of a maximum width of thirty (30) feet to allow for multiple lanes for extra truck capacity and better turning movements.

SALDO Section #707.4.C.2.b - Waiver to allow steeper side slopes of three (3) horizontal to one (1) vertical with the applicant stating that the basins will be privately owned and maintained and will all be fenced.

SALDO Section 401.5.A - Waiver of the plan submission requirement from 21 days prior to 14 days.

CONDITION:

Comments of the Township Staff must be complied with.

Plan reviewed with no decision, developer to return:

Docket #2111 - Niagara Bottling Rear Driveway Improvements - Land Development

Plan Withdrawn:

Docket #1946 - Lehigh Valley West Lot #10 - Land development

FINAL PLAN APPROVAL

Docket #2112 - 151 Boulder Drive Minor Subdivision Plan - Engineer Haas reviewed the plan. It proposes to subdivide Lot #9 of the LV West Subdivision into two (2) separate lots, Lot 9A, at the intersection of Schantz Road and Boulder Drive will contain 44.42 acres and Lot 9B at the intersection of Schantz Road will contain 16.0 acres. Lot 9A to be approved as a building lot with the residual remaining

as a non-building lot. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it is RESOLVED that RESOLUTION # "A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP APPROVING DOCKET #2112, THE MINOR SUBDIVISION PLAN FOR 151 BOULDER DRIVE AS SHOWN ON PLAN OF ARTHUR A. SWALLOW ASSOCIATES, JOB NO. 3577, SHEET 1, DATED 10/19/11" is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Docket #2113 - Project Pilgrim (Ocean Spray Cranberries, Inc.) - 151 Boulder Drive - Land Development Engineer Haas reviewed the project. A 315,000 SF industrial building on 44 acres of land, 125 space employee parking lot, 192 trailer spaces, 5 spaces for truckers lounge and an undetermined number of dock spaces for shipping and receiving, access is to Boulder Drive. DCD Molony reported that all Zoning and SALDO requirements have been met concerning this project. Several minor waivers are required. Upon motion by Chairman Earley, seconded by Secretary Rader, and unanimously approved it is RESOLVED that RESOLUTION # "A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP APPROVING DOCKET #2113, THE LAND DEVELOPMENT PLAN FOR PROJECT PILGRIM (OCEAN SPRAY CRANBERRIES, INC.), 151 BOULDER DRIVE, AS SHOWN ON PLANS OF LIBERTY ENGINEERING INC., PROJECT #11173, SHEETS 1 THROUGH 19, DATED 10/19/11, is hereby adopted by the Board of Supervisors of Upper Macungie Township.

FIRE COMMISSIONER REPORT

Fire Commissioner/Emergency Management Coordinator Grant Grim is out sick. Vice-Chairman Ashmar reported that the fire companies answered 121 emergency responses during the month of January.

PUBLIC WORKS REPORT

Regular maintenance work is proceeding. Work on bathrooms at the Grange Road Park is proceeding.

ZONING REPORT

The report of the Zoning Officer, Al Geosits, for the month of January was received and showed 69 permits issued: 3 for new residences, 12 for residential additions/alterations, 0 for new commercial/industrial buildings, 8 for commercial/industrial additions/alterations, 46 miscellaneous, plus 23 electrical licenses and 16 plumbing licenses.

In January the Zoning Hearing Board of Adjustment had no appeals. The annual report showed there were 1361 permits issued during 2011.

LEHIGH TAX COLLECTION COMMITTEE REPORT - No report

OLD BUSINESS

Tilghman Street Closing - Traffic Engineer Stenroos reported that Tilghman Street will be closed from April to August. A representative of PennDOT will be at the Supervisors meeting in March to review the project. PennDOT also requested Township permission to use Crackersport Road for a truck turnaround and to use the UMT website to post the detour. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved permission is hereby granted to PennDOT to use Crackersport Road for a truck turnaround and to use the UMT Website to post the detour.

Route 100 Modified Engine Brake Retarder - Vice-Chairman Ashmar reported meeting with BLRP and drivers at Nestle and Niagara to discuss the complaints that the Township has received. Both have agreed to cooperate to solve this issue.

NEW BUSINESS

Bid awarding - Five bids have been received for improvements to the Water Supply and Disinfection facilities at Independent Park. KCE recommends award to the low bidder.

Bids received:

Bellview Pump LLC.	\$18,000.00
Eichelbergers, Inc.	21,393.30
Derstine Company, LLC	24,200.00
Lisbon Bldge. & Infrastructures, Inc.	33,000.00
Kohl Bros. Inc.	56,495.00



Upon motion by Chairman Earley, seconded by Secretary Rader, and unanimously approved the low bid of Bellview Pump, LLC., for improvements to the Water Supply and Disinfection facilities at Independence park is hereby accepted.

Grange Road Park - Ball Fields and site improvements as part of DCNR Grant BRC-PRN-16-164 - Engineer Haas reported that the low bidder, A. Scott Enterprises, Inc., has agreed to modify his bid and reduce the scope of work by removing one (1) of the two (2) proposed baseball fields as well as removal of fencing. Upon motion by Secretary Rader, seconded by Chairman Earley, and unanimously approved the modified price of \$182,852.80 of A. Scott Enterprises Inc. to furnish baseball fields and site improvements for Grange Road Park is hereby accepted.

Revision to Commercial Fee Schedule - DCD Molony reports that many revised plans received for review take hours to review. He recommends that the Township change to an hourly rate for review of revised plans, instead of the flat \$100.00 as currently in place. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the rate for plan review by the Township Staff is hereby set at \$80.00 per hour with a minimum of \$100.00.

Stonegate Development - Residents of the development are complaining that the developer still has not finished the development and is not doing maintenance on roads during winter storms. Solicitor Schantz reported that due to extra legal fees from a lawsuit brought by neighboring property owner against the developer, there is a \$13,000 deficit in the developer's escrow account. This account must be brought up-to-date or further legal action will be taken against the developer. Engineer Haas reports that the letter of credit would cover all the work remaining but not the legal expenses. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the letter of credit is to be called and funds used to finish the roads in the development. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the Township will ask for bids for snow plowing in the development.

Right of Way - Blue Barn Road & Oak View Drive - The developer of Heatherfield Subdivision has requested that a 50' right-of-way southeast of a portion of Blue Barn Road and Oak View Road be conveyed back to Kay Builders. Question was raised about any compensation for the Township. It would save some maintenance funds in the future. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the Supervisors agreed to pursue the matter. Engineer Scott Stenroos and DCD Molony to review the request.

Fire Company Grant Policy - Commissioner Grim is not with us this evening to discuss the proposed grant policy. This item tabled until next month.

Lehigh Wheelmen Association, Inc. - The bicycle association has asked for use of the Township streets in the William Penn Business Center during the month of March same as in previous years. They will furnish required insurance. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the Lehigh Wheelmen Association is hereby granted permission to use the roads in William Penn Business Center for their annual training series on every Sunday in March 2012.

Kaybrook/Green Hills Community Association Park - Solicitor Andrew Schantz reported that due to lack of funding the Association no longer can afford the maintenance costs of the facility. Their deed calls for the property to revert back to the Township if the Association disbands. The Swim Club needs some of the land for parking area. The Swim Club has already taken some of the land for their use. Solicitor Schantz will ask representatives of the Park to attend a Supervisor's meeting to review the problem.

BERKS/LEHIGH POLICE -
Nothing new to report.

New Police Station - Update - Completion should be in early May.

CHAIRMAN EARLEY - Nothing more.

VICE-CHAIRMAN ASHMAR -

The Township website is being revised. In a question about the budget he reports that some money has been saved on the police budget.

SECRETARY RADER

The Independence Day Fire Works display in Breinigsville will be held on July 7th with the rain date being July 8th.

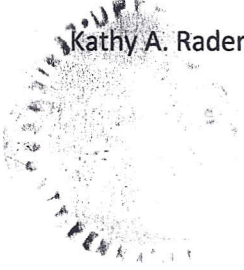
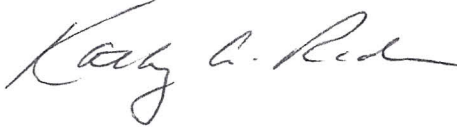
PUBLIC COMMENT

Jeff Grim, President of the Fogelsville Fire Company, questioned the proposed Grant Policy. Secretary Rader reported that some policy is needed for the Fire Companies to make certain that they have applied for all the grant money available to them.

Vice-Chairman Ashmar reported that two of the companies applied and received funding, however one did not apply and got nothing. Some got \$12,500 each, others got nothing. Some of the officers fail to attend the monthly meetings of the officers of the 3 fire companies in the Township. The cost of uniforms and equipment for each fire fighter is between \$10,000 and \$15,000.00, then you have the training and education required by the State. It's difficult to get volunteers and help is needed.

Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the meeting was adjourned at 8:45 P.M.

Kathy A. Rader, Secretary



BOARD OF SUPERVIORS

A special meeting of the Board of Supervisors of Upper Macungie Township was held on February 27, 2012 at the Municipal Building at 6 P.M. Present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz and Assistant Secretary Owen M. Bastian.

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

Purpose of meeting as advertised in the Parkland East Penn Press on February 22, 2012, to discuss police matters, and any other business that may come before the Board. No official action will be taken.

Also present were:

Attorney Thomas Heimbach, Labor consultant

Mr. Christopher P. Englebert, Senior Investment Management Consultant of MSSB

Members of the BLRP also were present.

Chairman Earley:

Opened the meeting with a brief history of the BLRP. He then gave a brief explanation of the purpose of the meeting and asked Solicitor Schantz to proceed.

Solicitor Schantz:

With the decision of UMT to leave the regional police as of January 1, 2013 there are many items that need to be discussed. One of the major items is the police pension plan. Mr. Englebert is an expert in this field. The new department will not be covered by the existing Police Commission. No decision will be made this evening, this meeting is simply for information. This is a preliminary meeting.

Vice-Chairman Ashmar:

One of the major points in the transition is the Pension Plan. UMT has no idea as to what the other Municipalities plan on doing. The current State plan pays only 4% interest. Private plans offer much more interest. Other concerns are members of the new force, how many of the present officers will stay and how many will leave. The new force will need cars with equipment. UMT cannot step back at this point. When do we bring a new Chief on board.

Mr. Englebert:

The pensions earned by the current force are there. You cannot take away any accrued pension benefits funded by the four municipalities. For the members that transfer to the new force the benefits will simply transfer. A local ordinance will be required to establish the new force, an attorney specialized in this will be needed. An actuarial update will be required showing the assets and liabilities of the plan. Retired officers will not be affected. He recommends starting to look for a Chief immediately and have him in place by June or July and let him help in hiring new staff.

Solicitor Schantz:

The new force must be in place by January 1, 2013. We need a job description for the new Chief; we need an Ordinance to create the new department; we need a time line to assure that on January 1, 2013 UMT has continuing service; how many old officers will stay, how many will leave; how many will be needed; UMT is not tied to the present contract: these are just some of the items that must be resolved: it may be best to go back to two meetings per month to keep things moving.

Kathy A. Rader, Secretary

