

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on March 1, 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 Engineer 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 February totaling General Fund \$1,618,780.39 and Sewer Fund \$92,015.82. 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 February in the amount of, General Fund \$1,618,780.39 and Sewer Fund \$92,015.82.

COMMENTS

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

Tilghman Street Closing

Chairman Earley then called on Engineer Steve Sartori of PennDOT for an update on the Tilghman Street bridge replacement project. Tilghman Street is expected to be closed from March to August, from Blue Barn Road to Farm Bureau Road. The two bridges being replaced were built in 1940. Tilghman St. will be open to the small shopping center to the east of the bridges. Parkland School District will have to reroute some of its buses.

RECREATION BOARD

Chairman Earley noted that all recreation activities will be published in the news letter.

Movies in the Park - Secretary Rader reviewed the Movie schedule, rain date always the next day.

Lone Lane Park - June 15th, with pre-movie activities starting @7 pm. **"DOLPHIN TALE"**

Grange Park - July 13th with pre-movie activities starting @7 pm **"SUPER 8"**

Breinigsville Park - August 10th with pre-movie activities starting @7 pm. **"PUSS IN BOOTS"**

Upon a motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved the 2012 Movies in the Park Schedule is approved.

Family Fishing - Secretary Rader reports that the ponds will again be stocked with fish. Fish have been donated by an anonymous donor. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved the Family Fishing program for 2012 is hereby approved.

One Day Volleyball Clinic - April Navaria described the one day volleyball clinic. The cost is \$25.00 and it will be held on April 17th. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the one-day volleyball clinic is hereby approved.

Jim Soltis, Parks Director described the following programs

One Day Softball Clinic - Clinic will be held on Wednesday August 8, 2012, the cost is \$35.00 for youngsters 8 to 14. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the one day softball Clinic is hereby approved.

Junior Golf Program - Instructions will be given by a former PGA teaching professional. Intro Spring Sessions start April 18, summer Junior Golf Camps begin on July 9th. All sessions are at Independence Park. Upon a motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved the Junior Golf Program is hereby approved.

Tennis Program - Instructional Tennis Classes will be held from May 7 to June 15, (6 weeks). Classes are from Pee Wees to Adult Beginners. Classes will be held at Ricky Park. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the Tennis Program is hereby approved.

Poo Free Parks - After review the Board decided against the system.

PLANNING COMMISSION

The Upper Macungie Township Planning Commission met on February 15, 2012, reviewed the following plans and has the following recommendations:

APPROVALS:

Docket #2116 - Krause Toyota, Land Development, plan as shown on plans of Liberty Engineering, Project No. 1165, dated 11/22/11, last revised 1/25/12 last revised 1/25/12, sheet 1 through 13, approved as follows:

CONDITIONS:

1. SALDO 710.1 Waiver granted from requirement for street trees and additional parking lot trees with the condition that the required number of trees be planted in other Township facilities.
2. SALDO 704.9a - Sidewalks to be provided to link both sides to the signalized intersection crosswalk at the Route 100 and Penn Drive.
3. SALDO 706.10 Fire Commissioner Grim must review and approve the circulation around the proposed building and parking lot.
4. SALDO 707.4.2.e - Detention basin liners will be required and ponds must meet DEP water quality requirements.
5. Comments of the Township staff must be complied with.

DENIAL: Docket #2111 - The land development plan for Niagara Bottling Rear Driveway Improvements as shown on site improvement plans, project No. 09039, dated December 21, 2011, prepared by Terraform Engineer, LLC and Barry Isett & Associates Inc. sheets 1 through 17 is hereby denied.

Plan reviewed with no decision, developer to return:

Docket #2118 - KayBrook-GreenHills Swim Club Boundary Line Adjustment.

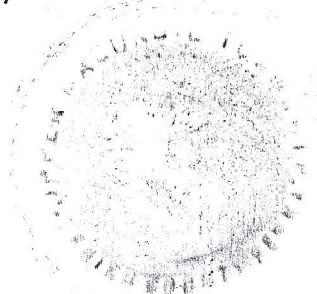
FINAL PLAN APPROVAL

Docket #2117 - Fowler Property Lot Line Adjustment - 8910 & 8914 Brookdale Road - Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved it is RESOLVED that RESOLUTION # 2012 "A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP APPROVING PLAN OF BOUNDARY LINE ADJUSTMENT - RICHARD G AND JODI A. FOWLER, 8910 AND 8914 BROOKDALE ROAD, #RJF 1211-1, DATED 12/5/11, LAST REVISED 1/30/12, PREPARED BY N. D. REMY ASSOCIATES, ALLENTOWN, PA." is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Docket #2111 - Niagara Bottling Rear Driveway Improvements Land Development - DCD Molony reviewed the project. The plan calls for left turns from the new driveway onto Schantz Road, the Planning Commission recommended denial of the plan. At the Commission meeting they refused to offer a time extension for further review so the Commission denied the plan. Now Niagara offers a time extension till May 4th for further review. Secretary Rader made a motion, seconded by Vice-Chairman Ashmar and unanimously approved to accept the time extension and send the plan back to the Planning Commission for further review.

FIRE COMMISSIONER REPORT

Fire Commissioner/Emergency Management Coordinator Grant Grim reported that the fire companies answered 66 emergency responses during the month of February and 172 calls in January. Question raised about the times the equipment leaves the fire station. Mr. Grim said that every time a call is received some equipment must leave the station, all pagers calling personnel to respond go off at the same time. The EMS calls for February totaled 141. Emergency Preparedness Day is scheduled for September 15, 2012 at St. Lukes Hospital building on Cetronia Road.



PUBLIC WORKS REPORT

Regular maintenance work is proceeding.

ZONING REPORT

The report of the Zoning Officer, Al Geosits, for the month of February was received and showed 92 permits issued: 13 for new residences, 13 for residential additions/alterations, 0 for new commercial/industrial buildings, 25 for commercial/industrial additions/alterations, 41 miscellaneous, plus 11 electrical licenses and 5 plumbing licenses.

In February the Zoning Hearing Board of Adjustment heard the following appeals:

#21201 - The appeal of Jennifer Hardner, 1236 Trexlertown Road, Trexlertown, Pa. for a special exception to operate a General Home Occupation (i.e. Beauty Salon) and a variance to minimum building setback. The property is zone R3 - GRANTED.

#21202 - The appeal of Compass Business Center, LLC: 3140B Tilghman Street, #202, Allentown, Pa. for a variance to minimum rear yard building setback for a proposed building in the new Compass Business Center. The property is located at 6801 Tilghman Street and is zoned Light Industrial (LI). - GRANTED

LEHIGH TAX COLLECTION COMMITTEE REPORT

Secretary Rader reported that the Committee is pursuing options to collect the EIT and wants support from the Municipalities. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved, UMT supports the efforts of the Lehigh Tax Collection Committee to collect all the EIT due UMT.

UMT BOARD OF AUDITORS REPORT

Chairman Earley reviewed the report of the UMT Auditors. Wages for the Supervisors remain the same as in the previous year. Supervisors participating in the township health insurance plan are to pay the same percentage of premium as other employees are paying.

OLD BUSINESS

KayBrook/GreenHills Community Association Park - Solicitor Andrew Schantz reports that the attorney for the Swim Club has not contacted him to review the problem. Vice-Chairman Ashmar said there are a lot of questions. The residents of the area are not informed. If the Association is dissolved the Park land reverts back to the Township. Secretary Rader said a parking problem already exists. Mr. Paul McNemar who lives in Green Hills requests the Township add the Park to its Park system. Vice-Chairman Ashmar made a motion, seconded by Chairman Earley and unanimously approved to have the Township Solicitor write a letter to the KayBrook/Green Hills Swim Club attorney requesting a meeting to review the status of the Club.

NEW BUSINESS

Growing Green Grants - Secretary Rader reports that a Resolution is needed authorizing the Chairman and Secretary to sign the documents for the grants. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved the Chairman and Secretary are hereby authorized to sign papers pertaining to Growing Greener grants.

Infrastructure Development Program Grant - Secretary Rader reports that a Resolution is needed authorizing the Chairman and Secretary to sign documents for making application for the Infrastructure Development Program Grant. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved it was RESOLVED that RESOLUTION #2012-07 "A RESOLUTION REQUESTING AN INFRASTRUCTURE DEVELOPMENT GRANT FROM THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA AND DESIGNATING AN AUTHORIZED AGENT OF UPPER MACUNGIE TOWNSHIP TO EXECUTE ALL DOCUMENTS AND AGREEMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA" is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Data Base Update - Secretary Rader describes the old DOS computer software for the date base cannot be upgraded. She recommends the Township purchase a new software from Diversified Technology and lease a new mailing machine. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the purchase of new software from Diversified Technology for the sum of \$31,412.00 and the lease of a new mailing machine are hereby approved. This falls under professional services and no bids are required. The staff has looked at several options and feels this software will work the best for the needs of the Township.

Part-time Building Inspector - DCD Molony has interviewed Mr. Lawrence Andes for the position of part-time building inspector and recommends the Township hire him at \$23.50 per hour. He has experience in both residential and commercial inspections. His schedule would be one week 15 hours and the next week 24 hours. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved Lawrence Andes will be hired as building inspector for UMT.

Proposed UMT Police Department - Vice-Chairman Ashmar said that in view of the workshop of February 27th there are several things that the Township should do. First would be to prepare a job description, to hire a new police chief to serve as a consultant to set up the new Department. Upon a motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the Township will prepare a job description and start the process for hiring a Police Chief. Second the Township should consider an RFP (Request for Proposal) to identify pension issues with the new department. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the township will advertise for an RFP to identify pension issues for preparing for a new Police Department. Third a new Ordinance will have to be adopted to establish the Police Department. Upon motion by Vice-Chairman Ashmar, seconded by Secretary Rader and unanimously approved the Solicitor is authorized to prepare the Ordinance establishing the new Police Department. Last we must authorize Attorney Heimbach to work with Solicitor Schantz in setting up the new Department. March 22, 2012, at 6 P.M. was set as the time for a work session to review progress on the new Police Department.

Purchase of Budgeted Vehicles - The 2012 budget contains funds for several new Township vehicles. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved DPW Director Faust is hereby authorized to purchase vehicles called for in the 2012 budget.

BERKS/LEHIGH POLICE -

Berks/Lehigh Police Commission - Update - Solicitor Schantz has had no contact from the other 3 municipalities involved. He is not sure what obligations UMT is under for leaving Commission. Vice-Chairman Ashmar reported that there was no response at the February 20th meeting.

New Police Station - Update - DCD Molony reports that the work is proceeding on schedule. The building should be completed in early May.

CHAIRMAN EARLEY - Nothing more.


VICE-CHAIRMAN ASHMAR - Nothing more.

SECRETARY RADER

Executive sessions: February 15, 2012 @8:10 PM for Personnel Issues and Possible Litigation
 " 21, 2012 @4:00 PM for Personnel Issues and Possible Litigation
 " 27, 2012 @11:00 AM for Personnel Issue
 " 27,2012 @7:30 PM for Possible Litigation

PUBLIC COMMENT - NONE

Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the meeting was adjourned at 8:10 P.M.


 Kathy A. Rader, Secretary

BOARD OF SUPERVISORS

MARCH 22, 2012

A special meeting of the Board of Supervisors of Upper Macungie Township was held this date at the Municipal Building. Present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz, Engineer Dean Haas, Attorney Tom Heimbach 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.

PUBLIC COMMENTS - NONE**Authorization to renew grass cutting & paving contracts**

Director of Public Works Scott Faust recommends extending contracts for grass cutting and paving for specific jobs. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the contract for grass cutting with ABM is hereby extended for specific jobs. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the paving contract with Asphalt Solutions is hereby extended for specific jobs. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved Director Faust was given permission to advertise for bids for grass cutting and paving projects for the year 2012.

Authorization to sell used equipment

Director Faust recommends selling 4 used trucks no longer needed by the Township. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved Director Faust given permission to sell four (4) used trucks to the highest bidders.

Authorization to remove old heating oil tank

Director Faust also reported that the old heating oil tank should be removed. He has a price of \$8,250.00 to clean and fill the oil tank. The process is approved by the State. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the contract with Boyko's Petroleum Service Inc. for the sum of \$8,250.00 is hereby approved.

Authorization to apply for DCNR Grant

Engineer Haas reported that the deadline to apply for a DCNR Grant for the Splash Park for Grange Road Park is April 4th. It is a possible \$450,000 grant with a 50% match. If the full amount is not granted we could get \$100,000. Approval to apply for the grant is needed tonight. Secretary Rader reported that with a splash park there is no need for lifeguards and youngsters love it. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved Engineer Haas was given permission to apply for a DCNR Grant for the Splash Park at Grange Road Park.

Prevailing Wage Reform Resolution

Secretary Rader presented a resolution asking the State Legislature to reform the Prevailing Wage Law. The law currently uses all union rates for labor and thereby raising the cost of many local projects. The PSATS recommends all municipalities join in the effort to get the law updated. Atty. Heimbach said that the law calls for union rates on most projects with a cost of \$25,000 or more. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved UMT Board of Supervisors supports the efforts of PSATS asking the State Legislature to reform the Prevailing Wage Law.

UMT Police Department

Vice-Chairman Ashmar reported that the Township is working ahead. At the Commission meeting on Monday night no decisions were made. The Township is getting opinions on the obligations of the Township to the Commission. Job descriptions are being prepared for a new Chief and officers for the new department. He urged all the existing officers interested in applying for the UMTPD to submit resumes for review. An inventory of all Department equipment has been received. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved Solicitor Schantz was directed to negotiate an agreement for withdrawal.

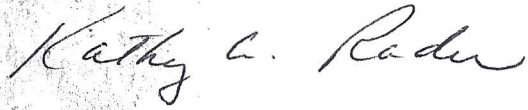
Solicitor Schantz said that in order to have a new department by December 31 the agreement of dissolution must be completed, a new Ordinance to create the new UMT Police Department must be adopted. He recommends the new Ordinance be on the April 5th agenda.

Ashmar continued - the new Chief when hired must then interview all officers interested in joining with the new UMT PD and any new applicants. The new Chief will have a voice in deciding how many officers will be needed. As for the future of the Commission, he has no idea what the other three municipalities intend to do. The lease on the State Police building has just been renewed. The new 10 year lease will

cover much of the cost of the new building. The next work session will be held in April, date to be announced.

Questions were asked by some of the Berks/Lehigh officers regarding the new Chief of Police and opening a dialogue with the UMT Board of Supervisors. The new UMTPD will be in place by January 1, 2013.

Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the meeting was adjourned at 6:35 P.M.

A handwritten signature in cursive script that reads "Kathy A. Rader". The signature is written in dark ink and is positioned above the printed name.

Kathy A. Rader, Secretary