

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on April 5, 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 March totaling General Fund \$1,637,049.91 and Sewer Fund \$113,771.22. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved, Treasurer Moyer is authorized to pay the General Fund bills for the month of March in the amount of General Fund \$1,637,049.91 and Sewer Fund \$113,771.22. Chairman Earley announced that tonight's meeting is being tape recorded.

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 Recreation Board report. The Board has been busy; a new Dog Park, a family fishing program, volley ball clinic, junior golf program, a 5K Run, tennis clinic, movies, softball clinic, etc. Call the Township at 610-395-4892 for more information on any of the programs you are interested in.

PLANNING COMMISSION

The Upper Macungie Township Planning Commission met on March 21, 2012, reviewed the following plans and has the following recommendations:

APPROVALS:

Docket #1946 - It is recommended to the Board of Supervisors that Docket #1946, the land development plan for LV West Lot 10, as shown on the plans of Pennoni Associates, Project No. CMCN 1001, dated 11/22/11, revised 3/15/12, sheets 1 through 16 be approved as follows:

The Seven waivers requested in your letter of March 21, 2012 are approved.
The Comments of the Township Staff must be complied with.

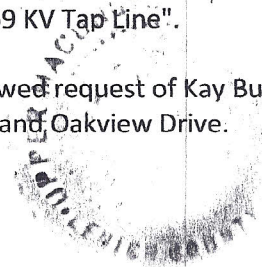
Docket #2111 - It is recommended to the Board of Supervisors that Docket #2111, Niagara Bottling Rear Driveway Improvement and Land Development Plans, as shown on plans of Terraform Engineering, LLC and Barry Isett & Associates, sheets 2 through 17 be approved as follows:

Waiver is granted from SALDO #401 and 501 about submission as preliminary/final plan. The letter from Terraform Engineering LLC, dated March 9 12 is approved. The Comments of the Township Staff must be complied with. Construction of access road to Schantz Road is not approved. Any access to Schantz Road is denied. This recommendation is for the addition only. Any appeals of this decision must be submitted to the Planning Commission.

Information only:

PP & L is planning a new substation for "Siting and Construction of the West Trexlertown #1 and 2 138/69 KV Tap Line".

Reviewed request of Kay Builders to abandon part of the right of way at the intersection of Blue Barn Road and Oakview Drive.



FINAL PLAN APPROVAL

Docket #1946 - LV West Lot #10 (Majestic) - Engineer Haas and DCD Molony explained the plans for a 375,000 sq ft industrial building with 7 waivers. The plan was originally approved in 2006. Access will be from Boulder Drive. The developer is proposing a \$226,000 contribution toward the capacity and safety improvements at the intersection of Route 100 and Schantz Road. 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 OF UPPER MACUNGIE TOWNSHIP APPROVING DOCKET #1946, THE LAND DEVELOPMENT PLAN FOR LV WEST LOT #10 (MAJESTIC) AS SHOWN ON PLANS OF PENNONI ASSOCIATES PROJECT NO. CMCN 1001, DATED 11/22/11, REVISED 3/15/12 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 road access to Schantz Road has been removed. Niagara only requests building addition plan approval. The plan has been approved by the UMT Planning Commission for building addition only. Upon motion by Vice-Chairman Ashmar, 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 #2111, THE LAND DEVELOPMENT PLAN FOR NIAGARA BOTTLING LAND DEVELOPMENT AS SHOWN ON PLANS OF TERRAFORM ENGINEERING, LLC AND BARRY ISETT & ASSOCIATES, SHEETS 1 THROUGH 17 ARE HEREBY APPROVED FOR BUILDING ADDITION ONLY" IS HEREBY ADOPTED BY THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP.

Docket #2116 - Krause Toyota - Land Development - Engineer Haas reviewed the plan for the new car dealership with waivers. 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 #2116, THE LAND DEVELOPMENT PLAN FOR KRAUSE TOYOTA AS SHOWN ON PLANS OF LIBERTY ENGINEERING PROJECT NO. 1165, LAST REVISED 3/15/12, SHEETS 1 THROUGH 14" IS HEREBY ADOPTED BY THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP.

Docket #2115 - 345 Route 100 - Engineer Haas reviewed the plan for a new office building along east side of route 100 with waivers. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved it is RESOLVED that RESOLUTION # "A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP APPROVING DOCKET #2115, THE LAND DEVELOPMENT PLAN FOR 345 ROUTE 100, PROPOSED OFFICE BUILDING/DENTIST OFFICE AS SHOWN ON PLANS OF OTT CONSULTING, PROJECT #FEDE1006, DATED 11/23/11, LAST REVISED 3/9/12, SHEETS 1 THROUGH 10" IS HEREBY ADOPTED BY THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP.

FIRE COMMISSIONER

Fire Commissioner/Emergency Management Coordinator Grant Grim is not with us this evening. Vice-Chairman Ashmar reviewed the report. It showed that the fire companies answered 103 emergency responses during the month of March.

PUBLIC WORKS REPORT

Regular maintenance work is proceeding. Director Faust said the Township would be loading mulch for Township residents on Saturdays and Sundays from 9 AM to 1 PM during the month of May.

ZONING REPORT

The report of the Zoning Officer, Al Geosits, for the month of March was received and showed 92 permits issued 12 for new residences, 18 for residential additions/alterations, 0 for new commercial/industrial buildings, 15 for commercial/industrial additions/alterations, 47 miscellaneous, plus 7 electrical licenses and 4 plumbing licenses.

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

#31203 - The appeal of Frederick W. Snyder, 248 Arrowhead Lane, Breinigsville, Pa. for a variance to rear yard setback for a shed. The property is zoned R-1

GRANTED

#31204 - The appeal of Ana Lucia Pinheiro, 858 Yorkshire Drive, Breinigsville, Pa. for a variance to install a fence in an active drainage easement. The property is zoned R3. GRANTED

#31205 - The appeal of Weis Markets, 1000 South 2nd Street, Sunbury, Pa. for a variances to the number and maximum size of wall signs. The new Weis Supermarket will be located at 7801 Glenlivet West Drive, Fogelsville and is zoned Neighborhood Commercial (NC). GRANTED

#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 Oakview Drive and is zoned G1. Continued to April 25th.

#31206 - The appeal of Michelman Steel Enterprises, 226 Bushkill Terrace, Nazareth, Pa. for variances to reduce side yard setback to construct a building addition and principal structure. The property is located at 6338 Farm Bureau Road and is zoned L1. GRANTED

#31207 - The appeal of Alisha Ramiogan, 5747 Daniel Street, Allentown, Pa. for variance to reduce side and rear yard setback to install an above ground pool. The property is zoned R2. Continued to April 25th.

LEHIGH TAX COLLECTION COMMITTEE REPORT - No report

OLD BUSINESS

Tilghman Street Closing - PennDOT update

Engineer Stenroos reports that the street closed signs were erected today. A report was received that trucks are already ignoring the signs. PennDOT has been notified.

KayBrook/GreenHills Community Association Park - Solicitor Andrew Schantz reports that he has mailed a letter to the Association and their President will contact him. If the Community Park Association is dissolved the Township must act. Secretary Rader understands there are no funds available for maintenance of the Park. Vice-Chairman Ashmar said the Park must be maintained. Secretary Rader then made a motion to ask the Association for permission to cut the grass and maintain the Park, the Township to keep a record of all expenses and when the Park is officially dissolved to seek reimbursement for its expenses, Chairman Earley seconded the motion and it was unanimously approved. There is still the question of ownership, if and when the Association dissolves.

NEW BUSINESS

Pennsylvania Game Commission Hunter/Trapper Education Class - Secretary Rader reports that the Recreation Board recommends approving the education class. Two certified instructors would be furnished by the Game Commission. The classes would be held at Independent Park August 11 and 12th from 8:30 am to 3:00 pm and open to Township residents ages 11 and up. More information about the class and how to register can be found at www.pgc.state.pa.us. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the Township will sponsor the Pennsylvania Game Commission Hunter/Trapper Education Class.

Permission to Bid Pre-emption signals - Director Faust reports that the pre-emptive signals are needed at two intersections, Schantz and Ruppssville Roads and Trexlertown Road and Hamilton Boulevard. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the Township will advertise for bids for pre-emption signals.

Ordinance 2012-1 - Ordinance Creating a Police Force within Upper Macungie Township.

Solicitor Andrew Schantz explained that this Ordinance would become effective on January 1, 2013. After review and upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved it was RESOLVED that ORDINANCE #2012-1 "AN ORDINANCE CREATING A POLICE FORCE WITHIN UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA" is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Chief of Police - (New Chief Edgardo Colon)

Secretary Rader gave a brief report on background of Mr. Colon. The Supervisors offered a contract, which sets forth the duties, terms and conditions of the Position of Chief of Police; and he has in response signed and submitted the contract to the Township. Secretary Rader then made a motion to authorize the signing of the contract, which will appoint Edgardo Colon for the position of Chief of Police

for the new Upper Macungie Township Police Department, Vice-Chairman Ashmar seconded the motion and it was unanimously approved. The contract was then signed.

Chairman Earley then read a press release giving a resume of Mr. Colon's background. Going from his service in the Marines to graduation from the Pennsylvania State Police Academy in 1991, then rising through the ranks to Station Commander of Troop M, Fogelsville. He comes with the highest recommendations of District Attorney James B. Martin. Vice-Chairman Ashmar said he feels lucky that UMT has such a man as its new Chief of Police.

New Police Station - Update - Engineer Haas reported that the new building is about 70% complete and should be finished in June.

Upper Macungie Township Website - Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the UMT Website will be upgraded.

BERKS/LEHIGH POLICE -

Berks/Lehigh Police Commission - Update - Vice-Chairman Ashmar reports that there has been no response from the partners on the Commission. The next meeting is April 16th. He then made the following motion that Edgardo Colon be retained as a Consultant to aid in the formation of the new Police Department until he becomes Chief on January 1, 2013, Chairman Earley seconded the motion and it was unanimously approved. The next Supervisors special meeting was set for April 23, 2012, at 6 P.M.

CHAIRMAN EARLEY - The Township Newsletter should be mailed shortly.

VICE-CHAIRMAN ASHMAR - Nothing more.

SECRETARY RADER

Executive sessions: Friday, March 9, 2012 at 10:00 AM Personnel Issue
 Tuesday, March 13, 2012 at 4:00 PM - Possible Litigation and Personnel Issue
 Thursday, March 22, 2012 at 5:45 PM - Possible Litigation
 Monday, April 2, 2012 at 5:00 PM - Personnel Issue

Secretary Rader reported that she recently was invited by PSATS to be part of a delegation to attend the NATaT Conference in Washington, D.C. Some of the issues the delegation lobbied for were funds for unfunded federal mandates, tax breaks on gratuities for volunteer firefighters and road sign regulations.

PUBLIC COMMENT -

Complaint received about sinkholes in the Coldwater Crossing development. This development has not been finalized and turned over to the Township. Sink holes are the responsibility of the developer at this time. Chairman Earley suggested residents hire an attorney.

Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the meeting was adjourned at 7:53 P.M.


 Kathy A. Rader, Secretary

BOARD OF SUPERVISORS

APRIL 23, 2012

A special meeting of the Board of Supervisors of Upper Macungie Township was held this date 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, Attorney Tom Heimbach and Assistant Secretary Owen M. Bastian. Purpose of meeting, as advertised in the Parkland Press on April 18, 2012, to discuss police matters, and any other business that may come before the Board.

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

Solicitor Schantz - The recent contract completed with Ocean Spray needs one minor change. The original name used was the Dennis Group, Ocean Spray requests that the contract be changed to Ocean Spray Inc. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the wording in the contract will be changed to Ocean Spray Inc.

Water System Operation Contract - Independent Park - The Park has well water and the water must be inspected monthly to meet DEP requirements. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved K. L. Fulford and Associates Inc. is hereby hired to test the water regularly for the sum of \$100.00 per month with \$55.00 per hour for extra services for the period of one year.

Authorization to apply for Chamber's Main Street Initiative Grant - Secretary Rader reported that the LV Chamber of Commerce has offered \$2,000.00 each to UMT and SWT to be used for a beautification project on Tilghman Street between the two Townships. Upon motion by Ashmar, seconded by Earley and unanimously approved permission to apply for the Main Street Initiative Grant from the LV Chamber of Commerce is granted.

Credit Card Payments for Refuse/Recycling & Sewer - Secretary Rader reported that it would be more convenient for the public to be able to pay bills for Refuse/Recycling & Sewer with the use of credit cards. This could be done without any charge to the township. The charge would be added to the customers charge account. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the use of credit cards for payment of Refuse/Recycling & Sewer bills is hereby approved.

Website Plan and Proposal for UpperMac.org. - tabled until next month.

Bid Awarding - Ultra Thin Friction Course w/Variable Depth Milling & Polymer Modified Crack Sealing
Two bids were received:

Asphalt Maintenance Solutions	\$309,205.00
E.J. Breneman Inc.	\$270,475.00

Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved The low bid of E. J. Breneman Inc. for ultra thin friction course w/Variable Depth Milling & Polymer Modified Crack Sealing, for the sum of \$270,475.00 is hereby accepted

UMT Police Department - Edgardo A. Colon - Consulting Fee - Vice-Chairman Ashmar recommended the sum of \$25.00 per hour as a consulting fee until he begins his new position of Chief in August. Upon motion by Ashmar, seconded by Earley and unanimously approved Edgardo A. Colon will be paid the sum of \$25.00 per hour as a consulting fee until he begins his new position as Chief of Police of UMT.

Creation of Two (2) Lieutenant Positions - Mr. Colon has recommended the creation of two new Lieutenant Positions for the new Department. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved two Lieutenant positions are approved for the new Police Department at a salary of \$72,000.00 per year, full time, starting about August 20, 2012. Should their services be needed before August 20th the hourly rate would be \$23.00.

Creation of Office Manager Position - Vice-Chairman Ashmar recommended the creation of the position of Office Manager for the new Department. Upon Motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the position of Office Manager for the new department is approved at a salary of \$45,000 per year, starting August 20, 2012.

Berks/Lehigh Regional Police

Solicitor Schantz reported that a meeting of the Police Commission with the Township and Borough Solicitors is scheduled for May 3rd at 10:30 A.M. at the Maxatawny building. The union has filed an unfair labor practices lawsuit against UMT. The meeting is to get information from the bargaining unit on what impact the dissolution will have on its members. Severance, transfer rights and benefit continuation are expected to be issues negotiated.

It was agreed that Attorney Heimbach should attend.

Vice-Chairman Ashmar reported that he has received 25 resumes from present officers and two from administrators.

Next Ashmar made a motion to increase the salary of the Director of Community Development, Ken Molony, to \$4.03 per hour, bringing him up to \$72,280 annually. Secretary Rader asked where the money would come from, since it was not in the 2012 budget. She also stated that we need to look at Mary McKittrick's wages as well. She is Mr. Molony's administrative assistant and is equally deserving of a raise. Her workload has increased dramatically since Mr. Molony was appointed to the position and is one of the lowest paid administrative assistants employed by the Township. Ashmar stated that money was put in the budget for a part-time building inspector that he feels we do not need at this time. The money set aside for the inspector could be used to cover Molony's raise. Rader requested that the raise be tabled until both Molony & McKittrick's wages could be studied. After much heated discussion Chairman Earley seconded the motion and it passed with a two to one vote with Rader being the descending vote.

The next special meeting date then set as May 23, 2012, @6 P.M.

Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the meeting was adjourned at 6:27 P.M.



Kathy A. Rader, Secretary