

UPPER MACUNGIE TOWNSHIP AUTHORITY

A special meeting of the Upper Macungie Township Authority was held March 7, 2013 at 6:00 P.M. Purpose of meeting to act on bids received February 1, 2013, for 2013 Sanitary Sewer System and Manhole Rehabilitation Project. Members present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy Rader, Engineer Dean Haas, Solicitor Andrew Schantz, DCD Ken Molony and Member 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.

Engineer Haas explained that this was a joint bid with Lower Macungie Township Authority and the Borough's of Macungie and Alburtis. All proposals are in order and each bidder provided a 10% bid bond. The bid price range noted is the total bid or construction cost for all four municipalities. The project is divided into two sections, Phase 1 and Phase 2.

Secretary Rader read the bids for Upper Macungie portion. There were a possible 24 bidders on each phase.

Phase 1 - Cured-in Place Pipe Lining

IRP Northeast	\$223,645.55
Allstate Power Vac, Inc.	235,179.00
Mr. Rehab Inc.	239,487.15
Insituform Technologies LLC	248,616.00
Miller Pipeline, LLC	280,162.55
Layne Inliner, LLC	284,651.00
AM-Liner East Inc.	311,726.00

Phase 2 - Manhole Rehabilitation

SWERP	\$ 74,564.17
Utility Services Group Inc.	92,313.00
Abel Recon	101,123.30
National Water Main Cleaning Co.	138,343.33

Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the contract for Phase 1, Cured-in-Place Pipe Lining, in the amount of \$223,645.55, is awarded to IRP Northeast of Beltsville, MD., the low bidder, and the contract for Manhole Rehabilitation, in the amount of \$74,564.17, is awarded to SWERP Inc. of Lafayette Hill, PA., the low bidder.

Upon a motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the meeting was adjourned at 6:10 PM.



Kathy A. Rader, Secretary

BOARD OF SUPERVISORS

A public hearing of the Board of Supervisors was held on March 7, 2013 at 6:15 P.M. in the Upper Macungie Township Municipal Building. The purpose of the hearing is to accept testimony and public comment related to the vacation of a portion of Oak Lane and Rabenold Lane. Present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz, Engineer Dean Haas, DCD Ken Molony and Assistant Secretary Owen M. Bastian.

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

Solicitor Schantz explained the purpose of the hearing is to accept testimony and public comment related to the vacation of a portion of Oak Lane (from Oak View Drive to Werley Road) and a portion of Rabenold Lane (from Oak Lane to the Route I-78 right of way). Said vacations being in accordance with the Second Class Township Code. The portions to be vacated have not been maintained for a long time. Notice of the hearing has been placed in the Parkland Press on February 18th and 25th. Adjoining property owners have been notified.

No objectors appeared.

The hearing was recorded by a court stenographer.

Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the meeting was adjourned at 6:25 PM.

Kathy A. Rader, Secretary

BOARD OF SUPERVISORS

A public hearing of the Board of Supervisors of Upper Macungie Township was held on March 7, 2013 at 6:30 PM. The purpose of the hearing is to receive testimony, evidence and comments from interested parties and the public related to proposed Amendments to the Upper Macungie Township Code of Ordinances, Chapter 27 (Zoning). Present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz, Engineer Dean Haas, DCD Ken Molony and Assistant Secretary Owen M. Bastian.

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

Solicitor Schantz explained the purpose of the hearing is to receive testimony, evidence and comments from interested parties and the public related to proposed Amendments to the Upper Macungie Township Code of Ordinances -Chapter 27 (Zoning), Said proposed amendments amend provisions related to the definitions of "Dwelling" and "Height", certain permitted uses, requirements for "Townhouses" and "Apartments", certain sight distance criteria and amends the Conservation Design Development by permitting Apartments - all of which are set forth more fully in the body of the Ordinance. Notice of hearing published in the Parkland Press of February 20th and 27th. The height change will allow 3 1/2 story apartment units, adds a density reward, adds open space, maintains same lot with more units and adds day care centers as a permitted use. The UMT Planning Commission and the LV Planning Commission, both have reviewed the amendments and recommend approval.

No objectors appeared at the hearing.

The hearing was recorded by a court stenographer.

Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the hearing was adjourned at 6:45 PM.


Kathy A. Rader, Secretary

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on March 7, 2013, 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 Dean Haas, Treasurer Barry Moyer, DCD Ken Molony, DPW Scott Faust, Sgt. Peter V. Nickischer, 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 Samir P. Ashmar, seconded by Chairman Edward J. Earley, and unanimously approved it was agreed to dispense with the reading of the minutes of the previous meetings. The minutes of the previous meetings are approved as presented.

Chairman Earley presented the bills for the month of February totaling General Fund \$1,278,710.53 and Sewer Fund \$110,771.38. 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 February in the amount of \$1,278,710.53 and the Sewer Fund bills in the amount of \$110,771.38.

PUBLIC COMMENTS - Mr. John Kuhns of Kuhnsville asked to be heard. His family has lived in Kuhnsville for several generations. His family has decided to do a history of Kuhnsville. He presented a copy of "**Crossroads**" a Look at Kuhnsville, Pennsylvania from 1742 to Today" to Chairman Earley for the Township records. Chairman Earley thanked Mr. Kuhns.

RECREATION BOARD -

Secretary Rader reviewed the Recreation Board report. Copies of the complete report are available on the table in the back of the room. Mr. Charles Thomas has submitted a letter of resignation from the Recreation Board. His new business does not allow him the time the position requires. Upon a motion by Secretary Rader, seconded by Chairman Earley the Resignation of Mr. Thomas from the Recreation Board is accepted with regrets. Secretary Rader then read two Volunteer Applications for the Recreation Board, one from Mr. Jeffrey Pascoe and one from Jennifer Kidd. Upon a motion from Secretary Rader, seconded by Vice-Chairman Ashmar, and unanimously approved both Jeffrey Pascoe and Jennifer Kidd are hereby appointed to the UMT Recreation Board. DPW Faust and Engineer Haas are working on plans for a fishing pier at Apple Park. The Fish Commission will stock fish. Chairman Earley noted that the first Movies in Park program will be held on Flag Day.

PLANNING COMMISSION - Engineer Haas and DCD Molony

Docket #2123 Trinity Wesleyan Church - Phase One - Expansion - Proposed is construction of 2,549 sq ft foyer/cafe addition at the entrance and a phase 2 future 7,071 sq ft sanctuary and a 3,000 sq ft outdoor play area with a fall surface with 34 additional parking stalls. The foyer/cafe entrance is a separate building separated by a wall and does not need a sprinkler system. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it is RESOLVED that RESOLUTION #2013- "A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP APPROVING DOCKET #2123- THE FINAL PLAN FOR PHASE ONE OF THE EXPANSION PLAN FOR TRINITY WESLEYAN CHURCH AS SHOWN ON PLANS OF WILKINSON & ASSOCIATES, INC. SHEETS 1 THROUGH 10 INCLUDING THE FOLLOWING SEVEN WAIVERS" is hereby approved by the Board of Supervisors of Upper Macungie Township:

- #1 - SALDO # 704.9 CONCERNING CURB AND SIDEWALK ALONG CETRONIA ROAD (TO BE REVIEWED WITH PHASE 2)
- #2 - SALDO #704.9.C - CONCERNING PARKING LOT EXPANSION.
- #3 - SALDO #707.4.C. (2) - CONCERNING SCREEN AROUND STORMWATER DETENTION BASIN.
- #4 - SALDO L403.4.H - CONCERNING FEATURES WITHIN 200 FT OF THE PROJECT.
- #5 - SALDO #504.1. - CONCERNING FINAL PLAN SUBMISSION.
- #6 - SALDO - 707.3.C - CONCERNING METHOD USED TO CALCULATE PRE AND POST DEVELOPMENT STORM RUNOFF.

#7 - TISC 801.A.1 CONCERNING STORM SEWER PIPES.
CONDITION #1 - COMMENTS OF THE TOWNSHIP STAFF MUST BE COMPLIED WITH.

Docket #2055 - Rabenold Farms II/Hidden Meadows Estates - Preliminary/Final Minor Subdivision and Easement Plan. The plan conveys land and grants easements to K & M Associates, the owner of this development, from Upper Macungie Associates, the owner of adjacent development for the purpose of future rights of way and utility service. All as shown on plan of Lehigh Engineering Associates, Inc., dated January 2, 2012, sheet 1. The following waivers are approved:

- #1 - SALDO - 403.1 concerning plan scale.
- #2 - SALDO - 403.4H concerning utilities.
- #3 - SALDO - 504.1 concerning submitting plan as preliminary /final.

Condition: #1 - Comments of the Township Staff must be complied with.

Upon a motion by Vice-Chairman Ashmar' seconded by Secretary Rader, and unanimously approved it is RESOLVED that RESOLUTION #2013- "A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP APPROVING DOCKET #2055, THE MINOR SUBDIVISION AND EASEMENT PLAN FOR RABENOLD FARMS AS SHOWN ON PLANS OF LEHIGH ENGINEERING DATED JANUARY 2, 2012, SHEET 1, INCLUDING THREE WAIVERS", is hereby approved by the Board of Supervisors of Upper Macungie Township.

Parkland Fields - Schantz Road Plan Amendment - Vice-Chairman Ashmar reported that he had only received the information today and was not ready to make a decision on the issue. Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the item was tabled until next month.

UPPER MACUNGIE TOWNSHIP POLICE REPORT

UMT Police Department - Sgt. Peter Nickischer -

The Sergeant then gave the following report:

Total Incidents	604		
Reportable MVAs	29	Arrest Information	Disorderly conduct 1
Non-Reportable MVAs	25	Theft by Deception 1	Harassment 4
Criminal Arrest (Non DUI)	14	Drug Act Violation 5	DUI 10
DUI	10	Burglary 2	Underage Drinking 2
Traffic Citations	586	Aggravated Assault 1	Public Drunk 1
Non-Traffic Citations	12	Simple Assault 2	False ID 1
Parking Tickets	0	False Alarms 6	Indecent Assault 1

Sgt. Nickischer described an incident where an officer was dispatched to a disturbance along the roadway on Trexlertown. On arrival officers discovered a male and a female seated in a vehicle at that location. When questioned it was learned that during an argument the male had stabbed the female in her abdomen. The driver was arrested, the female was taken to LV Hospital.

BERKS/LEHIGH POLICE REPORT

BLRP Police Commission - Update

Vice-Chairman Ashmar reported the BLPD Commission has hired an Auctioneer. The excess equipment auction should be held in April or May. The big remaining problem is the pension plan.

FIRE COMMISSIONER REPORT

Fire Commissioner/Emergency Management Coordinator Grant Grim is not with us this evening. Vice-Chairman Ashmar reviewed his report. Emergency responses, Station 8 had 19, Station 25 had 36 and Station 56 had 29, for total of 84 calls. Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved Fogelsville, Trexlertown & Station 56 Fire Companies were authorized to participate in the Federal Surplus Property Distribution Program.

Resolution for Municipal Assistance Program (MAP) Grant - Mobile Command Unit - On February 13th there was a joint work session between Upper Macungie Township Board of Supervisors and the South Whitehall Township Board of Commissioners. The purpose of the work session was to discuss partnering and applying for funding for a Mobil Command Unit. There is a Municipal Assistance Program (MAP) grant where some funding for this project could be obtained. A Resolution must be passed to apply for said grant. Upon a motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved it is hereby resolved that Upper Macungie Township participates in the joint

application, with South Whitehall Township, for MAP Grant funding to be used toward a mobile command unit.

PUBLIC WORKS REPORT

Director Faust is with us this evening. Bids for the roof at the Community Center in Independence Park are being received. Vice-Chairman Ashmar asked Director Faust to prepare a list of excess property that could be sold at the upcoming auction.

ZONING REPORT

The report of the Zoning Officer for the month of February was received and showed 43 permits issued, 5 for new residences, 6 for residential additions/alterations, 0 for new commercial/industrial buildings, 14 for commercial/industrial additions/alterations, 18 miscellaneous, plus 10 electrical licenses and 5 plumbing licenses.

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

#21302 - The appeal of Daniel D. & Patricia L. Kuhns, 5743 Tilghman St. for a variance to front yard setback to construct an addition to the rear of the former Gulf Automobile Service Station building. The property is located at 5204 Tilghman Street and is zoned Highway Commercial. The building is currently nonconforming with respect to front yard setback along Oak View Drive. A variance was granted to expend the existing non-conforming structure within the front yard setback on February 13th, 2013.

#21303 - The appeal of Richard Koze/Kay Builders, 5930 Hamilton Boulevard, Suite 210, Wescosville for a variance to maximum building height for a Personal Care facility. The applicant is proposing 40 feet 7 inches which exceeds the maximum building height requirement of 35 feet. The property is located at southeast corner of Blue Barn Road & Oak View Drive and is zoned NC. The variance request was changed to permit a building height of 38'6" at the public hearing. A variance was granted on February 27th, 2013.

UPPER MACUNGIE TOWNSHIP BOARD OF AUDITORS

The report was read into the record by Chairman Earley.

1. The 2013 wage/holiday/vacation/benefit/bereavement schedule and policy for Township Supervisors follows:
 - a. The base rate will remain at the prior year's rate for full or part time working Supervisors. Standard Township-issued payroll time sheets are to be used by all and archived with other records.
 - b. Mileage allowance is to be consistent with that granted to non-elected officials for personal vehicles used while conducting township business. It is assumed that liability insurance for any eventuality is in place and coverage is equivalent to that carried for township owned vehicles.
 - c. Provision for employees serving jury duty - township to supplement remuneration up to usual wage level. Proof of service may be required.
 - d. Paid holidays schedule is identical to that for all township employees.
 - e. Vacation span and terms are the same as that of all township employees
 - f. Bereavement policy is the same as that of all township employees, except township police, who operate under different guidelines.
 - g. Supervisors and employees are covered by existing life and disability and medical insurance, and reimbursement policy for medical expenses is the same for supervisors and employees. Supervisors participating in township health insurance plan are to pay same percentage of premium that employees are paying.
 - h. Sick and personal leave policy is recommended that three days non-cumulative sick leave be allowed without a doctor's excuse, while the two personal days be taken at employee's discretion, but preferably not before or after a holiday.
 - i. Retirement benefits, i.e. pension and '457' plan, are to be continued as in previous years.
2. The supervisors are commended for the responsible and considerate approach to making difficult decisions in this era of complicated choices among many issues.
3. The auditors urge that a transition plan be evaluated to make the hiring of a township manager a reality.

OLD BUSINESS -

Bid Awarding - Schaefer Run Riparian Buffer Restoration.

On February 19, 2013 eleven bids were received for the project, ranging from \$35,432.00 to \$145,134.60.

Bidders:

J. Margerison Landscaping	\$ 35,432.00
All Seasons Landscaping	44,841.00
Enviroscapes	52,855.00
Rutledge Excavating	59,493.25
Creative Landscapes	93,216.00
Bill Anskis	145,134.60

Richard Benckini Landscaping	\$ 41,448.00
Meadville Land Service	50,627.90
Greenscape Landscape	55,225.00
Land-Tech Enterprises	74,775.00
Applied Ecological Services	129,919.20

Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the low bid of J. Margerison Landscaping of \$35,432.00 for the Schaefer Run Riparian Buffer Restoration project is hereby accepted.

Kay Brook/Green Hills Community Association

Solicitor Schantz reported that the Association has dissolved with a lot of unanswered questions. The swim club needs room for parking but only wants part of the Association lands. The land that belonged to the Association reverts back to the Township. The swim club has non-resident members. After much discussion a meeting should be arranged between all parties involved to attempt to solve the problem.

NEW BUSINESS

Ordinance 2013-1 Zoning Amendments

Solicitor Andrew Schantz reviewed some of the things in the new Ordinance. It allows for 3rd floors in apartment units, gives the developer a density reward and allows for day care centers. The LVPC and the UMTPC both have approved the amendments. Both Ordinances have been advertised in the Parkland Press on February 27, 2013.

Upon a motion by Chairman Earley, seconded by Secretary Rader and unanimously approved it is RESOLVED that ORDINANCE #2013-1 "AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA AMENDING CHAPTER 27 (ZONING) OF THE CODE OF THE TOWNSHIP OF UPPER MACUNGIE, KNOWN AS THE UPPER MACUNGIE TOWNSHIP ZONING ORDINANCE AND THE SECTIONS OF CHAPTER 27 AS HERINAFTER SET FORTH, SPECIFICALLY, THIS ORDINANCE AMENDS PROVISIONS RELATED TO THE DEFINITIONS OF "DWELLING" AND "HEIGHT"; CERTAIN PERMITTED USES; REQUIREMENTS FOR TOWNHOUSES AND APARTMENTS; CERTAIN SIGHT DISTANCE CRITEREA AND AMENDS THE CONSERVATION DESIGN DEVELOPMENT BY PERMITTING APARTMENTS ALL OF WHICH ARE FULLY SET FORTH IN THE BODY OF THIS ORDINANCE AND ALL OF WHICH ARE IN ACCORDANCE WITH THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968, P.L. 805, NO. 247 AS REENACTED AND AMENDED, 53 P.S. #10609" be and is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Ordinance #2013-2 Oak Lane Roadway Vacation

Solicitor Andrew Schantz reviewed the portions of Oak Lane and Rabenold Lane to be vacated. EMS vehicles will still be able to use the abandoned roadway. No objectors appeared.

Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved it is RESOLVED that ORDINANCE #2013-2 "AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING APPENDIX H-101, ET SEQ. OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE TO ADD THERETO THE VACATION OF A PORTION OF OAKLANE (T-857) (FROM OAKVIEW DRIVE TO WERLEY ROAD) AND A PORTION OF RABENOLD LANE (T-498) (FROM OAK LANE TO THE ROUTE I-78 RIGHT OF WAY), LOCATED IN THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AS PUBLIC ROADS, SAID VACATION BEING IN ACCORDANCE WITH THE SECOND CLASS TOWNSHIP CODE, 53 P.S. SECTIONS 67304, 67305(A) AND (B) AND 67311" be and is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Resolution for Upper Macungie Township Employees Pension Plan

A change in the method of calculating the actuarial value of assets in the Pension Plan has been recommended by David H. Killick of the Conrad Siegel Actuaries. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it is Resolved that Resolution #2013- A Resolution of Upper Macungie Township, Lehigh County, Pennsylvania adopting the market value of assets as the actuarial value of assets as part of the actuarial valuation for the Pension Plan for employees of Upper Macungie Township is hereby adopted by the Board of Supervisors of Upper Macungie Township. .

Resolution for adoption of new fees for zoning, land development and plan reviews

Solicitor Andrew Schantz is working on newly adjusted fee and escrow accounts and will have the Resolution ready at the next meeting.

Engineer Haas reported that action is needed to apply for several grants from the State. Some grants not awarded must be re-applied for. Two from DCNR and one from DEP. Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved Engineer Haas was given approval to apply for 2 grants with DCNR and one from DEP.

CHAIRMAN EARLEY - Nothing more

VICE-CHAIRMAN ASHMAR - Recommended Township officials look at the THP website and false advertising.

SECRETARY RADER -

Executive session: February 22, 2013 @9:30 AM - Personnel issues
March 4, 2013 @2:00 PM - Personnel issues

Secretary Rader made a motion that the purchase of a generator and installation for the municipal building be delayed due to lack of funds. There was no second to the motion and the motion died.

PUBLIC COMMENT

Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the meeting was adjourned at 8:52 P.M. , next regular meeting Thursday, April 4, 2013 at 7 P.M.



Kathy A. Rader, Secretary

