

I. CALL TO ORDER – PLEDGE TO THE FLAG

The Special Meeting of the Board of Supervisors of Upper Macungie Township was called to order on December 27, 2018 at 3:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were James M. Brunell, Chairman (via telephone); John P. "Sean" Gill, Vice Chairman; Kathy A. Rader, Supervisor; Andrew V. Schantz, Esq., Solicitor; Robert R. Ibach, Jr., Township Manager; and Kalman Sostarecz, Township Secretary.

Chairman Brunell opened the meeting and asked all present to join him in reciting the Pledge of Allegiance to the Flag of the United States of America.

Motion by Chairman Brunell to appoint Vice-Chairman Gill as the Temporary Chairman to conduct the meeting. Seconded by Supervisor Rader. The motion passed unanimously.

II. RESOLUTIONS**A. *Resolution #2018-47 – Fixing the Tax Rate for the Year 2019***

Manager Ibach stated that the tax rates for 2019 remain the same as they were in 2018.

Motion by Chairman Brunell to approve Resolution #2018-47 fixing the tax rates for the year 2019. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2018-47 is hereby approved.

B. *Resolution #2018-48 – Appropriation of Specific Sums Estimated for the Year 2019*

Manager Ibach stated that the 2019 budget was advertised and has been available for public inspection; no comments were received from the public.

Motion by Supervisor Rader to approve Resolution #2018-48 adopting the budget and appropriating specific sums estimated to be required for the year 2019. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2018-48 is hereby approved.

C. *Resolution #2018-49 – Authorizing Wage Increases for Non-Uniform, Non-Union Employees for the Year 2019.*

Manager Ibach stated that he is recommending a 3% wage increase effective January 1, 2019 for non-uniform, non-union employees. The average estimated salary increases for U.S. workers in 2019 is expected to be 3.2%, the increase per the Police Agreement will be 5.5%, and the increase per the Public Works Agreement will be 3%.

Motion by Supervisor Rader to approve Resolution #2018-49 authorizing a 3% wage increase for Non-Uniform, Non-Union employees for the year 2019, and authorizing the Township Manager, at his discretion, to provide said employees with wage increases due to a change in job responsibilities and/or job description. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2018-49 is hereby approved.

D. *Resolution #2018-52 – Approving the Settlement Agreement for Lehigh Hills Lot 5*

Solicitor Schantz stated that a settlement agreement has been prepared in the matter of Jandl Land Company and KRE Upper Macungie Associates vs Upper Macungie Township and the Board of Supervisors. The Board was provided a copy for review and both Solicitor Schantz and Manager Ibach are satisfied with the terms stipulated.

Motion by Vice-Chairman Gill to approve Resolution #2018-52 approving the settlement agreement and stipulation between Jandl Land Company, KRE Upper Macungie Associates, L.P., Upper Macungie Township, and the Board of Supervisors



of Upper Macungie. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2018-52 is hereby approved.

- E. Resolution #2018-53 – Granting Preliminary Plan Approval for Lehigh Hills Overall Plan**
Solicitor Schantz stated that this resolution and the two that follow are a result of the settlement agreement approved in Resolution #2018-52. All plans have been reviewed by staff and consultants and comment letters were issued, which are referenced in Section 3 of the settlement agreement.

Motion by Chairman Brunell to approve Resolution #2018-53, #2018-54, and #2018-55, plan approvals for the Lehigh Hills development, which have been reviewed by Township staff and consultants as stated in Section 3 of the settlement agreement, and as per the settlement agreement approved by the passage of Resolution #2018-52. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #'s 2018-53, 2018-54, and 2018-55 are hereby approved.

- F. Resolution #2018-54 – Granting Preliminary Plan Approval for Lehigh Hills Mixed Use Plan** – This item was combined with Item II.E.

- G. Resolution #2018-55 – Granting Preliminary/Final Plan Approval for Lehigh Hills Apartments** - This item was combined with Item II.E.

- H. Resolution #2018-56 – Granting Approval for Lehigh Hills Sewage Facilities Planning Module**

Solicitor Schantz stated that this item is in conjunction with the previous resolutions.

Motion by Supervisor Rader to approve Resolution #2018-56 granting approval for Lehigh Hills Sewage Facilities Planning Module. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT HEREBY RESOLVED, Resolution #2018-56 is hereby approved.

III. MOTIONS

- A. Authorizing Purchase of a Street Sweeper**

Manager Ibach stated that two pieces of equipment which are in the approved 2019 budget, an Elgin Street Sweeper and Vactor Sewer Jet/Vac, are anticipated to receive price increases in the new year. It is recommended to initiate a purchase order at this time to lock in the current rates. The Sewer Jet does not include a truck chassis, and that request will be brought back to the board for approval at a later date.

Motion by Vice-Chairman Gill to authorize the purchase of an Elgin Whirlwind Street Sweeper at a cost of \$285,558.25 and a Vactor Sewer Cleaner at a cost of \$304,728.05 from GranTurk Equipment Co, Inc. Seconded by Supervisor Rader. The motion passed unanimously.

- B. Authorizing Purchase of a Vactor Sewer Cleaner** - This item was combined with item III.A.

- C. Rescinding the December 6, 2018 Motion to Draw on Letter of Credit for Pulte Homes, LLC**

Manager Ibach stated that the referenced motion contained the incorrect Letter of Credit number and the motion should be rescinded.

Motion by Vice-Chairman Gill to rescind the motion of December 6, 2018 to draw upon Letter of Credit #18113921 for Pulte Homes, LLC. Seconded by Supervisor Rader. The motion passed unanimously.



D. Authorizing Draw on Letter of Credit for Pulte Homes, LLC

Manager Ibach stated this is in conjunction with the previous item and authorizes a draw on the correct Letter of Credit to provide funding for the township to complete improvements which were not done by the developer.

Motion by Supervisor Rader to draw upon Letter of Credit #18113919 for Pulte Homes, LLC in the amount of \$15,048.00 to complete missing storm sewer improvements and \$14,410.00 to complete the landscaping berm, totaling \$29,458.00, based upon the estimate from Keystone Consulting Engineers. Seconded by Vice-Chairman Gill. The motion passed unanimously.

E. Authorizing Advertisement of a Public Hearing to Vacate a Portion of Pennycress Road

Solicitor Schantz stated that this is to advertise for a public hearing to consider the vacation of a 1,518 square foot portion of Pennycress Road in conjunction with the Hidden Meadows Subdivision Phase 1C.

Motion by Supervisor Rader to advertise for a public hearing to occur on February 7, 2019 at 6:45 p.m. to consider the vacation of a portion of Pennycress Road. Seconded by Vice-Chairman Gill. The motion passed unanimously.

IV. BOARD REPORTS

A. Chairman Brunell

Nothing to report.

B. Vice-Chairman Gill

Requested an Executive Session be held following the meeting.

C. Supervisor Rader

Air Products, as part of their proposal to construct a new campus on Grange Road, has requested a deferral to install sidewalks until a later date. She agrees that they are not needed as they would be going to nowhere. Lower Macungie said they do not want them, so the sidewalk would end abruptly at the township line. Mr. Charles Deprill, Planning Commission Chairman, stated that it would be preferable for the Planning Commission to make a recommendation prior to Board approval. Supervisor Rader stated that it would be good to settle the matter at this time so Air Products knows how to proceed.

Motion by Chairman Brunell to defer the requirement for sidewalk and curbing on Grange Road surrounding the Air Products land development and that security be held for it. Seconded by Supervisor Rader. The motion passed unanimously.

V. PUBLIC COMMENT/COURTESY OF THE FLOOR

Thomas Capehart, Esq., stated that he is running for Lehigh County Judge. He spoke of his qualifications and asked for everyone's support.

VI. ADJOURNMENT

Motion by Vice-Chairman Gill to adjourn the meeting at 3:45 p.m. Seconded by Chairman Brunell. The motion passed unanimously.

Submitted by:

Kalman Sostarecz, Township Secretary

