

**I. CALL TO ORDER – PLEDGE TO THE FLAG**

The General Business Meeting of the Board of Supervisors of Upper Macungie Township was called to order on April 4, 2019 at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were James M. Brunell, Chairman; John P. "Sean" Gill, Vice-Chairman; Kathy A. Rader, Supervisor; Robert R. Ibach, Jr., Township Manager; Kalman A. Sostarecz, Jr., Township Secretary; Daren J. Martocci, Director of Community Development; Andrew V. Schantz, Esq., Solicitor; Edgardo Colón, Chief of Police, UMTPD; Grant Grim, Director, Bureau of Fire; and Lynn Matula, Recreation & Events Coordinator.

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.

**II. MINUTES****A. *March 7, 2019 & March 27, 2019***

Chairman Brunell stated that he would dispense with the reading of the minutes of the previous meetings unless there was an objection.

**Motion by Chairman Brunell to waive the reading of the minutes of the March 7, 2019 & March 27, 2019 meetings and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**III. PRESENTATIONS**

None

**IV. DISCUSSIONS & UPDATES**

None

**V. ORDINANCES****A. *Ordinance #2019-02 – Establishing Speed Limit on Packhouse Road***

Manager Ibach stated that Weisenberg Township studied and lowered the posted speed limit of Packhouse Road in their township to 35 MPH, and Keystone Consulting Engineers completed a study and concluded that the 35 MPH speed limit is justified on Upper Macungie's portion as well.

**Motion by Vice-Chairman Gill to approve Ordinance # 2019-02, establishing a 35 MPH speed limit on Packhouse Road between Church Street and the Township boundary with Weisenberg Township. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Ordinance #2019-02 is hereby approved.**

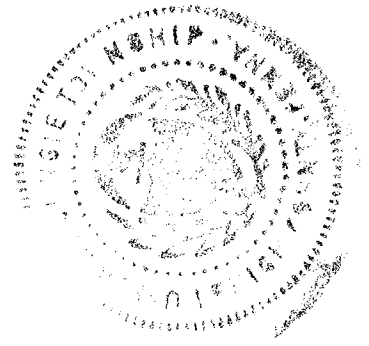
**B. *Ordinance #2019-03 – Establishing Truck Prohibition on Bastian Lane***

Manager Ibach stated that trucks traveling south on Blue Barn Road are required to turn east onto Oak View Drive; however, trucks turn west onto Bastian Lane and travel to Schantz Road, which puts truck traffic on a residential road not designed for the traffic and leads to trucks on Schantz Road, a roadway that is posted no trucks. Keystone Consulting Engineers studied Bastian Lane and concluded the truck restriction is justified.

**Motion by Vice-Chairman Gill to approve Ordinance # 2019-03, prohibiting trucks on Bastian Lane between Blue Barn Road and Schantz Road. Seconded by Chairman Brunell. The motion passed unanimously. BE IT RESOLVED, Ordinance #2019-03 is hereby approved.**

**C. *Ordinance #2019-04 – Establishing and Amending the Park Rules***

Manager Ibach stated the proposed update to the park rules permits alcohol in the parks by approval of the Board of Supervisors on a case-by-case basis. Solicitor Schantz stated a special application has been developed for applicants to complete.



Motion by Vice-Chairman Gill to approve Ordinance # 2019-04, establishing and amending the park rules. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Ordinance #2019-04 is hereby approved.

## VI. RESOLUTIONS

### A. Resolution #2019-17 – Docket #2261 – Air Products New Headquarters – Final Land Development Plan Approval

Mr. Martocci stated that since the Preliminary Plan was approved on February 7<sup>th</sup> several revisions were made: the proposed Administration Building has been reduced from ten to nine stories while retaining the previously proposed 526,000 square feet of floor area; the Research and Development building has been reduced to a floor area of 98,125 square feet; the proposed six-story parking structure has been revised to accommodate 1,813 parking spaces.

Motion by Chairman Brunell to approve Resolution #2019-17, granting Final Land Development Plan Approval to Docket #2261, Air Products & Chemicals, Inc. New Headquarters, conditioned upon review letters dated March 18, 2019 from Keystone Consulting Engineers and the UMT Community Development Department, and the UMT Bureau of Fire letter dated March 11, 2019. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-17 is hereby approved.

### B. Resolution #2019-18 – Docket #2267 – Mill Creek Development – Proposed Hotel/Restaurant – Preliminary/Final Land Development Plan Approval

Mr. Martocci stated that this is for the proposed construction of a 29,655 square foot, six-story hotel and accessory restaurant on three vacant tracts of land on Grange and Mill Creek Roads just north of the proposed Air Products New Headquarters.

Motion by Chairman Brunell to grant waiver numbers 1, 2, 3 and deferral numbers 4, 5, 6 for Docket #2267, Mill Creek Development, as outlined in Keystone Consulting Engineers' review letter dated March 18, 2019. Seconded by Supervisor Rader. The motion passed unanimously.

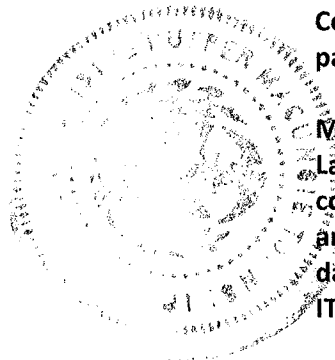
Motion by Chairman Brunell granting Preliminary/Final Plan Approval of Docket #2267, Mill Creek Development Subdivision Plan, conditioned upon the review letter from Keystone Consulting Engineers dated March 18, 2019. Seconded by Supervisor Rader. The motion passed unanimously.

Motion by Chairman Brunell to approve Resolution #2019-18, granting Preliminary/Final Land Development Plan Approval to Docket #2267, Mill Creek Land Development, conditioned upon review letters dated March 18, 2019 from Keystone Consulting Engineers and the UMT Community Development Department, and the UMT Bureau of Fire letter dated March 11, 2019. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-18 is hereby approved.

### C. Resolution #2019-19 – Docket #2271 – Air Products Existing Trexlertown Campus – Evonik Industries – Preliminary/Final Subdivision Plan Approval

Mr. Martocci stated that this is for the subdivision of the existing 235-acre Air Products campus located at 7201 Hamilton Boulevard in Trexlertown. Evonik Industries currently occupies structures which are proposed to be subdivided into their own lot, Lot #1, which will be comprised of approximately 41.18 acres, with the remainder of the existing lot becoming Lot #2 comprised of approximately 194.07 acres.

Motion by Vice-Chairman Gill to grant waiver numbers 1, 2, 3, 5 through 9, 13, 14 and deferral numbers 11, 12, 15 through 17, for Docket #2271, Air Products Existing Campus



Subdivision, as outlined in Keystone Consulting Engineers' review letter dated March 18, 2019. Seconded by Chairman Brunell. The motion passed unanimously.

Motion by Vice-Chairman Gill to approve Resolution #2019-19, granting Preliminary/Final Subdivision Plan Approval to Docket #2271, Air Products Existing Trexlertown Campus, conditioned upon review letters dated March 18, 2019 from Keystone Consulting Engineers and the UMT Community Development Department. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-19 is hereby approved.

**D. Resolution #2019-20 – Docket #2270 – Roark & Michele Grammes – 720 Timber Trail/7215 Cetronia Road/7221 Cetronia Road – Lot Line Adjustment – Preliminary/Final Plan Approval**

Mr. Martocci stated that the plan proposes boundary line adjustments of three existing tracts of land north of Cetronia Road that are owned by Roark & Michele Grammes. No new construction is proposed with the plan.

Motion by Chairman Brunell to grant waiver numbers 1 through 6 and deferral number 7 for Docket #2270, Grammes Lot Line Adjustment, as outlined in Keystone Consulting Engineers' review letter dated March 18, 2019. Seconded by Vice-Chairman Gill. The motion passed unanimously.

Motion by Chairman Brunell to approve Resolution #2019-20, granting Preliminary/Final Plan Approval to Docket #2270, Grammes Lot Line Adjustment, conditioned upon review letters dated March 18, 2019 from Keystone Consulting Engineers and the UMT Community Development Department. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-20 is hereby approved.

**E. Resolution #2019-21 – Docket #2020 – Lehigh Hills Lot #1 – Wrenfield Estates – Phasing Plan Approval**

Mr. Martocci stated that this 98-unit townhouse project received final approval on December 1, 2009 and is known as Lot #1 of the approved Lehigh Hills Development. The developer is prepared to begin construction and is seeking final approval of a Phasing Plan.

Motion by Chairman Brunell to approve Resolution #2019-21, granting Final Phasing Approval to Docket #2020, Wrenfield Land Development Plan, conditioned upon comments found in Keystone Consulting Engineers' review letter dated April 4, 2019. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-21 is hereby approved.

**F. Resolution #2019-22 – Docket #2084 – Lehigh Hills Lot #5 – Phase I – Final Subdivision Plan Approval**

Solicitor Schantz stated that this agenda item and the next are in accordance with the Applewood Pump Station Settlement, and that the Township already granted Conditional Preliminary Plan Approval to both phases of the Lehigh Hills Lot #5 projects on December 28, 2018. Also, in accordance with the Settlement Agreement, the Plans have been revised in accordance with review letters of the Township.

Motion by Chairman Brunell to approve Resolution #2019-22, granting Final Subdivision Plan Approval to Docket #2084, Lehigh Hills Lot #5 – Phase I Supplement, establishing the lot for KRE Apartments, Stormwater Controls, and a Residual Lot for future phases. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-22 is hereby approved.

**G. Resolution #2019-23 – Docket #2084 – Lehigh Hills Lot #5 – Phase II – Final Subdivision Plan Approval**

Discussion included in item F. above.

**Motion by Chairman Brunell to approve Resolution #2019-23, granting Final Subdivision Plan Approval to Docket #2084, Lehigh Hills Lot #5 – Phase II Supplement, creating lots for 230 Single-Family Homes, 25 Townhouses, and lots for Open Space and Stormwater purposes. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-23 is hereby approved.**

**H. Resolution #2019-24 – Application for Traffic Signal Approval – SR-222 and Mill Creek Road/Grange Road**

Solicitor Schantz stated that the traffic signal at SR-222 and Mill Creek Road/Grange Road is being added to the traffic adaptive system, and this resolution authorizes the Township Manager to submit the application to PennDOT for approval.

**Motion by Supervisor Rader to approve Resolution #2019-24, authorizing the Township Manager to submit an Application for Traffic Signal Approval for the mentioned intersection. Seconded by Chairman Brunell. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-24 is hereby approved.**

**VII. MOTIONS****A. Docket #2274 – ATAS International – Land Development Plan – Waiver Request**

Mr. Martocci stated that during the Conditional Use Hearing, residents raised concerns with regard to the proximity of the proposed industrial driveway to a group of existing single-family dwellings. In response the applicant revised the plan to move the proposed driveway west by approximately 200 feet. This revision forces a second, western-most driveway closer to the intersection with Haaf Road than what is required by SALDO.

**Motion by Supervisor Rader to grant a waiver for Docket #2274, ATAS International, of Section 22-703.F.(2)(a) to permit a driveway access within three hundred feet of an existing roadway intersection, as outlined in Keystone Consulting Engineers' review letter dated March 18, 2019. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**B. Award of Bid – 2019 Double Application Bituminous Seal Coat Project**

Manager Ibach stated that this is part of the ongoing yearly roadway maintenance throughout the Township. The project was advertised and one bid was received through the PennBid system; the pricing is in line with prior year costs.

**Motion by Supervisor Rader to award the 2019 Double Application Bituminous Seal Coat/Type 2 Slurry Seal Project to Asphalt Maintenance Solutions in the amount of \$385,932.38. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**C. Award of Bid – 2019 Double Micro Surfacing Project**

Manager Ibach stated that this is part of the ongoing yearly roadway maintenance throughout the Township. The project was advertised and one bid was received through the PennBid system; the pricing is in line with prior year costs.

**Motion by Vice-Chairman Gill to award the 2019 Double Micro Surfacing Project to Asphalt Paving Systems in the amount of \$71,512.20. Seconded by Supervisor Rader. The motion passed unanimously.**

**D. Award of Bid – 2019 Polymer Modified Crack Seal Project**

Manager Ibach stated that this is part of the ongoing yearly roadway maintenance throughout the Township. The project was advertised and three bids were received through the PennBid system;

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the pricing is in line with prior year costs. However, the apparent low bidder, Pocono Spray Patching, had an incomplete bid submission as they had failed to submit their PennDOT Prequalification Statement as required. Therefore, it is recommended that the bid be awarded to the next-lowest bidder, Asphalt Maintenance Solutions.

**Motion by Supervisor Rader to reject the apparent low bid in the amount of \$52,800 from Pocono Spray patching due to an incomplete bid submission, and award the 2019 Polymer Modified Crack Seal Project to the next lowest bidder, Asphalt Maintenance Solutions, in the amount of \$61,520.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**E. Rejection of Bid – Breinigsville Park West Pathways & Schaefer Run Crossing Project**

Manager Ibach stated that the Township received six bids via the PennBid system for this project ranging from \$273,775.75 to \$529,995.00, all of which were well over the Engineer's Estimate of \$190,000.00, therefore it is recommended that all bids are rejected, the scope of work is revised, and the project be re-bid.

**Motion by Supervisor Rader to reject all bids received for the Breinigsville West Park Pathways Bridge Project due to budget constraints and all bids exceeding the Engineers Estimate for the project, and re-bid the project with a revised scope of work. Seconded by Chairman Brunell. The motion passed unanimously.**

**F. Rejection of Bid – Independent Park Spray Irrigation System**

Manager Ibach stated that this work is to complete the open NPDES Permit for Independent Park which cannot be transferred to the new owner of the property. Two bids were received which both exceeded the cost estimate for the project. It is recommended that all bids are rejected, the scope of work revised, and the project be re-bid.

**Motion by Chairman Brunell to reject all bids received for Bid #2019-03.01, Independent Park Spray Irrigation System, and authorize staff to re-bid the work necessary to complete the Township's NPDES permit at Independent Park. Seconded by Supervisor Rader. The motion passed unanimously.**

**G. Award of Sale of 2004 Mack Dump Truck**

Manager Ibach stated that we received two proposals from other municipalities to purchase this used equipment, that the offer is above the trade-in value, and it is a very good price based on auction results researched by Public Works Director Scott Faust.

**Motion by Vice-Chairman Gill to authorize the sale of the 2004 Mack Truck, a single-axle dump truck, to the Borough of Coopersburg in the amount of \$37,000.00. Seconded by Chairman Brunell. The motion passed unanimously.**

**H. Authorizing Agreement with Lehigh Valley Community Foundation to Receive Funds for the Proposed Community Center**

Manager Ibach stated that the Township will be soliciting funds from private entities to offset the cost to construct the proposed community center. Donors want the opportunity to make tax-deductible donations and the Lehigh Valley Community Foundation (LVCF), which is a registered 501(c)(3), could accept the donations on our behalf and hold them in low-risk investment accounts. The Township would be able to request funds be made available at any time. Working with Greater Good LLC and the LVCF would save a lot of time from the Township setting up its own 501(c)(3) for this purpose and fundraising is planned to begin soon.

**Motion by Supervisor Rader to authorize staff and Greater Good LLC to create and enter into an Agreement with the Lehigh Valley Community Foundation, for the purpose of receiving funds for the proposed Community Center and any other purposes that may be**

considered, per the review of the Township Manager and Solicitor. Seconded by Vice-Chairman Gill. The motion passed unanimously.

***I. Authorizing Creation of a 501(c)(3) Non-Profit Organization to Receive Funds for the Proposed Community Center***

Manager Ibach stated that in conjunction with the previous agenda item, donors are also willing to contribute to the maintenance and operation of the proposed community center. To provide them with a way to make tax-deductible donations, creating a new 501(c)(3) for this purpose is advised and we would again work with Greater Good LLC to complete this.

**Motion by Supervisor Rader to authorize staff and Greater Good LLC to create a separate 501(c)(3) Non-Profit Organization for the purpose of funding the operations of the proposed Community Center. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

***J. Authorizing Staff to Develop and Advertise a Request for Proposals (RFP) for Third-Party Inspection Services***

Manager Ibach stated that the Township has not solicited formal quotes for inspection services, and it would benefit by advertising an RFP for these services by comparing costs, establishing standard expectations of approved vendors, and creating a formal process for choosing vendors.

**Motion by Chairman Brunell to authorize staff to create and advertise a Request for Proposal for Third-Party Inspection Services to include Zoning, Commercial and Residential Building Inspections, Code Compliance, and any other inspection needs that may be required by the Township. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

***K. Authorizing Fire Police Assistance at 2019 Spring VeloFest***

Mr. Grim stated that fire police assistance is requested by Valley Preferred Cycling Center at their 2019 Spring VeloFest on May 4, 2019.

**Motion by Vice-Chairman Gill to approve Fire Police to provide assistance for the Spring 2019 VeloFest on May 4, 2019 from 7:00 a.m. to 12:00 p.m. Seconded by Chairman Gill. The motion passed unanimously.**

**VIII. BOARD AND STAFF REPORTS**

***A. Treasurer***

The total bills from all funds for March 2019 was \$1,644,905.12.

**Motion by Chairman Brunell to pay the bills for March 2019 in the amount of \$1,644,905.12. Seconded by Supervisor Rader. The motion passed unanimously.**

***B. Recreation Board***

Ms. Matula stated that sponsorships and registrations are available for the summer programs; and that they are looking forward to two new programs this year: Dog Park Etiquette and the Children's Business Fair. Vice-Chairman Gill requested an update on funds that have been raised by Friends of Upper Macungie Parks and what amount could be dedicated toward the dog park. Further details appear in the March Recreation Board Report.

***C. Community Development***

Mr. Martocci reported that for the month of March, 98 Building and Zoning Permits were issued. Regarding the Comprehensive Plan Update, a public information session was held the prior evening on April 3<sup>rd</sup> and will also be an agenda item for the April 17<sup>th</sup> Planning Commission meeting. Further details appear in the March Community Development Report.

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**D. Engineer**

Mr. Martocci, in Mr. Alban's absence, stated that conditional approval was received on the TE-153 application for the Rt. 100 adaptive system. Also, received PennDOT approval for the installation of a northbound Rt. 100 left turn protective prohibited phasing onto Glenlivet Drive. Regarding the intersection of Krocks and Cetronia Road, the approved traffic impact study from 2009 indicates that a traffic signal would not be warranted until the development of the Phase 2 Hamilton Crossing Site. Chairman Brunell asked that Mr. Martocci speak with Lower Macungie Township staff to determine if that second phase has progressed at all. Further details appear in the March Engineer's Report.

**E. Police**

Chief Colón reported that an arrest was made in the homicide which had occurred in February; he thanked all of those that assisted in the very involved investigation and that thank you letters would be sent to all once the investigation is complete. Supervisor Rader expressed thanks to the entire team for their hard work. Further details appear in the March UMTPD Report.

842	Total Calls for Service
20	Reportable MVAs
42	Non-Reportable MVAs
15	Private Property MVAs
30	Criminal Arrest (Misdemeanor/Felony)
6	Non-Traffic Citations (Summary)
425	Traffic Citations
29	Parking Tickets
145	Written Warnings
96	False Alarms
0	Arsons
1	Assaults
0	Burglaries
13	Disturbing the Peace
10	Drug/Alcohol Violations
21	DUI Offenses
4	Fraud Crimes
0	Homicides
0	Motor Vehicle Thefts
0	Robberies
2	Sex Offenses
5	Thefts
1	Vandalism/Criminal Mischiefs
0	Vehicle Break-In/Thefts
0	Weapon Offenses

**F. Fire/EMS**

Mr. Grim reported that there were 54 Fire Inspections in March and a total of 105 Emergency Responses: Fogelsville = 37; Trexlertown = 34; UMT Station 56 = 34. Further details appear in the March Bureau of Fire Director's Report.

**G. Public Works**

Manager Ibach, in Mr. Faust's absence, stated that an Electronics Recycling Event will be held at Grange Park on April 6<sup>th</sup> from 9:00 a.m. to 2:00 p.m., spring street sweeping is occurring, and there will be a mulch giveaway on weekends in May. Details appear in the March Public Works Report.

**H. Secretary**

Mr. Sostarecz stated that two Executive Sessions were held: On March 27, 2019 at 5:05 p.m. regarding labor matters and on April 4, 2019 at 6:15 p.m. regarding legal matters.

**I. Manager**

Manager Ibach stated that he along with others from the Township would be attending the PSATS Annual Conference in Hershey later this month. He also reported that the 2018 Annual Report has been provided to the Board and if there are any questions he can address them.

**J. Board**

**i. Chairman Brunell**

Nothing to add.

**ii. Vice-Chairman Gill**

Nothing to add.

**iii. Supervisor Rader**

Nothing to add.

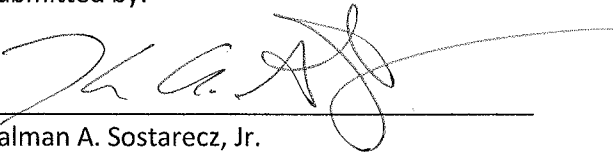
**IX. PUBLIC COMMENT/COURTESY OF THE FLOOR**

Mr. Martin Hetrick of Sawgrass Drive stated that he would again like to address the school bus stop at Short Hill Lane and Krocks Road, which he spoke about the previous month. He did attend a resident meeting in the neighborhood and shared his concerns with the parents in attendance, and he was also contacted by the Parkland School District who told him that the bus stop would not be able to be moved for at least a year. Solicitor Schantz stated that the roads have been dedicated, but not yet accepted, due to outstanding punch list items. Mr. Martocci stated that he would research the punch list to see where they are at. Chief Colón stated that he was attending a neighborhood meeting the next day to address open traffic complaints including speeding and would also discuss the bus stop.

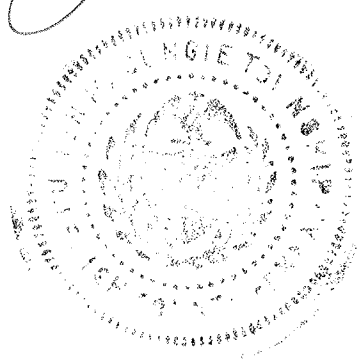
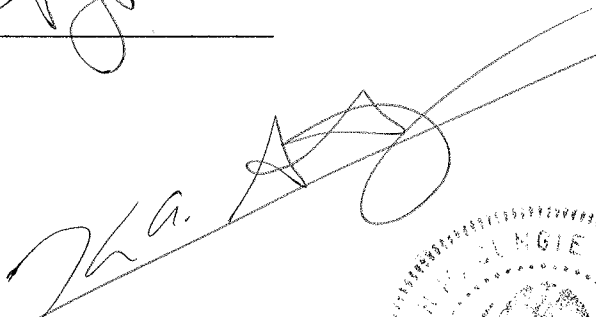
**X. ADJOURNMENT**

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 8:43 p.m. Seconded by Supervisor Rader. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.  
Township Secretary



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