

**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 September 5, 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; Robert R. Ibach, Jr., Township Manager; Kalman A. Sostarecz, Jr., Township Secretary; Daren J. Martocci, Director of Community Development; Dave Alban, Township Engineer; Andrew V. Schantz, Esq., Solicitor; Edgardo Colón, Chief of Police, UMTPD; Grant Grim, Director, Bureau of Fire; Scott Faust, Public Works Director; Bruce Koller, Finance Director; and Lynn Matula, Recreation & Events Coordinator. Absent: Kathy A. Rader, Supervisor

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. *August 1, 2019***

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

**Motion by Chairman Brunell to waive the reading of the minutes of the August 1, 2019 meeting and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**III. PRESENTATIONS****A. *Police Department Commendations***

Chief Colón presented UMTPD Commendations to Officers Malischewski, Sassaman, and Shedaker for their actions during a medical emergency response to a cardiac arrest victim. They utilized CPR and a department AED which led to the person surviving the event.

**B. *ArtsQuest – Report on SangriaFest***

Curt Mosel, Chief Operating Officer of ArtsQuest, reported that SangriaFest, which was held at Grange Park on June 8<sup>th</sup>, was a success. They had approximately 800 attendees over the two sessions. The set-up for the event took four days and the teardown took two days. He thanked all the Township staff for their assistance, but especially the Public Works Department and Parks & Recreation. They would like to partner with Upper Macungie again next year and are confident they could handle a much larger crowd. They are also exploring possibilities for different types of events. Chairman Brunell thanked ArtsQuest for coming to Upper Macungie and encouraged him to begin speaking to township staff well in advance to make sure all is well-planned.

**C. *Maillie, LLP – Report on 2018 Financial Audit***

Dale Umbenhauer of Maillie, LLP presented the 2018 Financial Audit which is available on the Township website.

**IV. DISCUSSIONS & UPDATES****A. *Lehigh Motor Inn***

Mr. Martocci stated that on August 26, 2019 the Upper Macungie Township Building Code Board of Appeals granted a continuance to the applicant until March 2020 with stipulations, including: within 30 days electric would be shut off, buildings would be secured, and a demolition permit be approved; within 45 days a signed contract to demolish the building will be presented to the Township, along with a binding timeline for the demolition to be completed; within 180 days all demolition work must be completed. Also, that tractor-trailer parking still seems to be a problem at the site. The property owner, Mr. Minu Desai, was in attendance and stated that a plan was

filed with DEP for asbestos abatement and the 10-day waiting period was nearly up. A demolition company has been hired and they have a call into PPL to physically sever their utility lines; once that is complete, they can begin demolition which should take approximately 30 days.

**B. *Cetronia Road Traffic Concerns***

Mr. Alban stated that PennDot's Traffic Studies Unit field-viewed the area and are willing to provide additional chevron signage along the curves, replace the existing arrow signage to meet current standards, and relocate/replace the advanced curve warning signs to current standards.

**C. *Blue Barn Road Swale***

Mr. Alban stated that an estimate of \$225,000 was arrived at to install twin 48" pipes necessary to convey the existing stormwater. Chairman Brunell stated that this would be cost-prohibitive, and the Public Works Department will continue to maintain the swale. Mr. Faust stated that they can add a third cut per year and will complete an initial clean-up.

**V. ORDINANCES**

**A. *Ordinance #2019-07 – Property Maintenance Code Updates***

Mr. Martocci stated that current Township Code references the 2003 edition of the International Property Maintenance Code, and this Ordinance would update it to reference the 2015 edition or "the latest edition" which would allow staff to use a newer edition once it is published.

**Motion by Chairman Brunell to approve Ordinance #2019-07. Seconded by Vice-Chairman Gill. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2019-07 is hereby approved.**

**B. *Ordinance #2019-08 – Pension Updates***

Mr. Koller stated that this Ordinance would amend the Pension Plan to allow the actuary to utilize the PubG-2010 Mortality Table in order to prepare the actuarial valuation report. This table best reflects the demographics and lifespan of the participants of the Plan, which will provide a more realistic assumption to the actuarial valuation of the plan. The Ordinance will also appoint the Township Manager as the agent for the Plan.

**Motion by Chairman Brunell to approve Ordinance #2019-08. Seconded by Vice-Chairman Gill. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2019-08 is hereby approved.**

**VI. RESOLUTIONS**

**A. *Resolution #2019-45 – Sewage Planning Module – Park 100 Logistics***

Manager Ibach stated that this resolution is required by the PA DEP to submit a modification to the Township's official sewage facilities plan for the proposed Park 100 Logistics Center. The application has been reviewed by Keystone Consulting Engineers who recommends its adoption.

**Motion by Vice-Chairman Gill to approve Resolution #2019-45, amending the Township's Official Sewage Facilities Plan for the Park 100 Logistics Center. Seconded Chairman Brunell. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-45 is hereby approved.**

**B. *Resolution #2019-46 – Pension Plan Act 44 Compliance***

Mr. Koller stated that this resolution adopts written procedures governing selection of professional services in compliance with Act 44 of 2009 for both Township Pension Plans.

**Motion by Chairman Brunell to approve Resolution #2019-44, adopting written procedures for governing selection of professional services in compliance with Act 44 of 2009 for both Township Pension Plans. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-46 is hereby approved.**

**C. Resolution #2019-47 – Application for Traffic Signal Approval – SR-222 & Breinigsville Road**

Mr. Alban stated that TE-160 forms need to be completed due to PennDOT requirements for any traffic signal modifications. The intersections of SR-222 & Breinigsville Road/Newtown Road and SR-3012 Schantz Road & Nestle Way/Grim Road are being modified for traffic signal timing adjustments as part of the proposed Parkland Elementary School.

**Motion by Vice-Chairman Gill to approve Resolutions #2019-47 and #2019-48, authorizing the Township Manager to submit an Application for Traffic Signal Approval for the mentioned intersections. Seconded by Chairman Brunell. The motion passed unanimously. BE IT RESOLVED, Resolutions #2019-47 and #2019-48 are hereby approved.**

**D. Resolution #2019-48 – Application for Traffic Signal Approval – Schantz Road & Nestle Way**

This item combined with item C. above.

**E. Resolution #2019-49 – Appointing Special Fire Police**

Mr. Grim stated that the Commonwealth of Pennsylvania, under Title 35, Chapter 74, Subsection D, authorizes volunteer fire companies to nominate any of its members as Special Fire Police, and that they be confirmed by the Board of Supervisors. A list of all members being nominated has been included as Exhibit "A" to the Resolution.

**Motion by Vice-Chairman Gill to approve Resolutions #2019-49, appointing Special Fire Police for Upper Macungie Township. Seconded by Chairman Brunell. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-49 is hereby approved.**

**VII. MOTIONS****A. Approving Minimum Municipal Obligation for Pension Plans**

Mr. Koller stated that Act 205 requires the BOS be informed of the expected Minimum Municipal Obligation for both Pension Plans for 2020. The Non-Uniform is expected to be \$435,746.00 and the Police to be \$248,004.00, which is a combined decrease of \$8,382.00. The costs are partially offset by State Aid of approximately \$487,000.00.

**Motion by Chairman Brunell to approve the Minimum Municipal Obligation of \$435,746.00 for the Non-Uniform Pension Plan, and \$248,004.00 for the Police Pension Plan, for the year 2020. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**B. Authorizing Re-Bid for Pavilion Concrete Pads**

Manager Ibach stated that no bids were received, and staff is requesting to re-bid the project as required by the Second-Class Township Code.

**Motion by Vice-Chairman Gill to authorize the re-bidding of the installation of two concrete pads for the Grange Park Pavilions. Seconded by Chairman Brunell. The motion passed unanimously.**

**C. Authorizing Execution of Memorandum of Understanding with Air Products and Lehigh County Authority**

Manager Ibach stated that the original agreement from 1978 for Sanitary Sewer Allocation included the Upper Macungie Township Authority, which was dissolved. The new MOU is between Upper Macungie Township, Air Products, and Lehigh County Authority, and allows Air Products to transfer 100,000 GPD to their new facility, 15,000 GPD will remain with Evonik, the rest of the old campus will retain 95,000 GPD, and 60,000 GPD will return to the WLI General Pool.

**Motion by Chairman Brunell to authorize the Township Manager to sign a Memorandum of Understanding with Air Products & Chemicals, Inc. and the Lehigh County Authority regarding the assignment of Sanitary Sewer allocation from their existing campus. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**D. Authorizing Participation in COSTARS Electric Procurement Services**

Mr. Koller stated that membership is required to participate in the PA Department of General Services Bureau of Procurement for energy commodity supply. The program is assisted by the Penn State Facilities Engineering Institute, which charges a \$0.001 per kWh fee for their services. The Township has been paying a \$0.0025 per kWh fee to Schneider Electric, so the Township will realize a cost savings on the fee alone and may be able to obtain a less expensive price for electricity through the program as well.

**Motion by Vice-Chairman Gill to authorize the Township to become a member of the COSTARS Electricity Procurement Services Program. Seconded by Chairman Brunell. The motion passed unanimously.**

**E. Authorizing Hiring of Public Works Assistant Team Leader**

Mr. Faust stated that he is requesting approval to hire Donald Hoffman as the Public Works Assistant Team Leader. Mr. Hoffman has prior Public Works experience at South Whitehall Township and is currently employed by PennDOT. He has passed all his clearances and background checks. The position is fully-funded in the 2019 budget.

**Motion by Chairman Brunell to make a final offer of employment to Donald Hoffman at a rate of \$24.53 with a Date of Hire of September 3, 2019. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**F. Authorizing Sale of 2002 John Deere Gator 6X4**

Mr. Faust stated that the Second-Class Township Code permits the direct sale of items to registered Non-Profit Organizations, and the South Parkland Youth Association would like to purchase the 2002 John Deere Gator 6X4 for \$4,000.00.

**Motion by Chairman Brunell authorizing the sale of the used 2002 John Deere Gator 6X4 to South Parkland Youth Association in the amount of \$4,000.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**G. Approving Fire Police Requests for Assistance**

Mr. Grim stated that requests have been received to provide Fire Police assistance at the Valley Preferred Cycling Center for two events.

**Motion by Vice-Chairman Gill to approve Fire Police to provide assistance for the Valley Preferred Cycling Center on September 14 & 15, 2019 from 7:00 a.m. until 12:00 p.m. on both days, and for Lily's Hope Foundation 5K Run & Walk at Valley Preferred Cycling Center on Saturday, October 12, 2019 from 9:00 a.m. to 11:00 a.m. Seconded by Chairman Brunell. The motion passed unanimously.**

**VIII. BOARD AND STAFF REPORTS**

**A. Treasurer**

The total bills from all funds for August 2019 was \$2,530,216.95, which included a transfer of \$625,000.00 from Fund 08 to Fund 18.

**Motion by Chairman Brunell to pay the bills for August 2019 in the amount of \$2,530,216.95. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**B. Recreation Board**

Ms. Matula stated that the Summer programs are winding down, but in the Fall we have several programs running, including the very popular Barktoberfest which occurs at the Rt. 100 Park on Saturday, October 12<sup>th</sup>. Further details appear in the August Recreation Report.

**C. Community Development**

Mr. Martocci stated that Americold will be appearing before the Zoning Hearing Board on September 11<sup>th</sup> for a variance to allow a warehouse expansion above the 50' maximum building height. They are proposing to build a 135' tall warehouse. Mr. Grim stated that a fire truck could only reach to 125' in case of emergency.

**Motion by Chairman Brunell to authorize the Township Solicitor to attend the September 11, 2019 Zoning Hearing Board meeting on behalf of the Township as an Interested Party, and to raise the point of the 125' fire truck limitation. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

The department issued 247 permits in August, which is still a very high number, but a large amount continues to be for repairs from hail damage. They also issued eleven licenses during the month. Further details appear in the August Community Development Report.

**D. Engineer**

Mr. Alban stated that for the Rt. 100 Traffic Adaptive project, shop drawings have been reviewed and approved and the equipment and materials were ordered on September 3<sup>rd</sup>; the project is on track to be completed by the end of the year. Additionally, plans for the Community Center were reviewed at the August Planning Commission meeting, and they will be revised and re-submitted for review at a later date. Further details appear in the August Engineer's Report.

**E. Police**

Chief Colón stated that National Night Out was a huge success, as it always is, and they look forward to continuing it in future years. Ms. Peg Konnich requested additional police presence at the intersection of Schantz and Independent Roads, especially during rush hour; with school back in session it's a very busy intersection. Further details appear in the August UMTPD Report.

833	Total Calls for Service
16	Reportable MVAs
52	Non-Reportable MVAs
6	Private Property MVAs
19	Criminal Arrest (Misdemeanor/Felony)
11	Non-Traffic Citations (Summary)
370	Traffic Citations
43	Parking Tickets
97	Written Warnings
90	False Alarms
0	Arsons
3	Assaults
2	Burglaries
9	Disturbing the Peace
6	Drug/Alcohol Violations
16	DUI Offenses
1	Fraud Crimes
0	Homicides
0	Motor Vehicle Thefts
0	Robberies
0	Sex Offenses
8	Thefts
1	Vandalism/Criminal Mischiefs
1	Vehicle Break-In/Thefts
0	Weapon Offenses

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**F. Fire/EMS**

Mr. Grim reported that they recently took delivery of 59 air packs, the cost of which was split among a \$244,319 grant, \$60,485 from the Relief Fund, and \$100,000 from the Township. He thanked the Board for their support as it is much appreciated. Also, upcoming on September 14<sup>th</sup> is Get Prepared Parkland. Further details appear in the August Bureau of Fire Director's Report.

**G. Public Works**

Mr. Faust had nothing to add. Further details appear in the August Public Works Report.

**H. Secretary**

Mr. Sostarecz stated that the Board of Supervisors conducted one Executive Session which was held on September 5, 2019 at 6:20 p.m. and the topic discussed was Personnel.

**I. Manager**

Nothing to add.

**J. Solicitor**

Nothing to add.

**K. Board**

**i. Chairman Brunell**

Nothing to add.

**ii. Vice-Chairman Gill**

Stated that the residents near Ricky Park asked about the tennis courts being painted. Mr. Faust stated that it was scheduled for the next day weather-pending.

**iii. Supervisor Rader**

Nothing to add.

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

Ms. Carol Michaels of Krocks Road and Mr. Chandan Kedia of Sawgrass Drive spoke regarding the traffic at the intersection of Schantz and Krocks Road. Ms. Michaels presented photographs of a vehicle crash and a petition with additional signatures to add to the one previously presented in June.

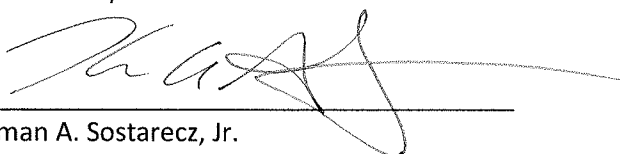
Mr. Hunter Snelling spoke regarding employees of Madeline's Restaurant parking in the backyard of a resident. Mr. Martocci stated that his department is handling it through Planning & Zoning review.

Ms. Kim Snelling spoke about the detour that is a result of the Lehigh Hills Subdivision.

**X. ADJOURNMENT**

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 9:35 p.m. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.  
Township Secretary

