

**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 October 3, 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; Scott Faust, Public Works Director; Bruce Koller, Finance Director; 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.

Mr. Sostarecz stated that Ordinance #2019-09 regarding Roadway Excavation and Right-of-Way, which was advertised to be discussed for possible adoption this evening, will instead be heard at the November 7, 2019 Board of Supervisors meeting. Additionally, that agenda item VII.J. regarding a disc golf course at Lone Lane Park, would be tabled to allow more time for staff review.

**II. MINUTES****A. *September 5, 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 September 5, 2019 meeting and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously. Supervisor Rader abstained.**

**III. PRESENTATIONS****A. *Bill Schantz Distinguished Service Award***

Chairman Brunell read the Distinguished Service Award presented in honor of long time Solicitor Bill Schantz. A framed plaque honoring Bill was presented by the Supervisors to his wife Pat Schantz, who was in attendance.

Chief Jacque Creamer, Fogelsville Volunteer Fire, spoke regarding the fire at Heather Glen Senior Living and thanked the numerous agencies and volunteers who helped at the scene. The Supervisors all expressed their thanks and would like to honor all involved in the near future.

**IV. DISCUSSIONS & UPDATES****A. *Krocks & Schantz Road Traffic Concerns***

Mr. Martocci stated that "stop ahead" signage has been placed on Krocks Road, intersection warning signs have been placed on Schantz Road, stop bars have been added to Krocks Road, reflective warning strips have been added to the stop signs, and trees have been trimmed to improve sight distance. He is also working with the developer on the punch list to finalize the left turn striping along Schantz Road.

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

Mr. Martocci stated that after discussions with PennDOT's Traffic Studies Unit, the signage has been ordered and they received notification that they are being made. No schedule of installation has been provided yet.

**C. *Lehigh Motor Inn***

Mr. Martocci reported that a Demolition Permit has been issued. A representative of the demolition company, who was in attendance, stated that PPL is scheduled to cut electric service to the property on October 7<sup>th</sup> and demolition would begin October 9<sup>th</sup>. It should take approximately thirty days to complete.

**V. ORDINANCES**

**A. *Ordinance #2019-10 – Pension Plan Updates***

Mr. Koller stated that current language in the pension ordinance causes conflicting eligibility issues when calculating the number of employees eligible for Pension State Aid from the Commonwealth. Amending the plan will reduce the chance of being over funded and negate the return of funds after audit. This Ordinance would remove the eligibility service requirement after the completion of six month of employment, and establish the entry date into the plan as the employee's date of hire.

**Motion by Chairman Brunell to adopt Ordinance #2019-10. Seconded by Vice-Chairman Gill. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2019-10 is hereby adopted.**

**B. *Ordinance #2019-11 – No Parking on Ruppville & Blue Barn Roads***

Manager Ibach stated that a No Parking ban was instituted on both of these roads temporarily earlier in the year by Resolution, and that this Ordinance will provide for a permanent ban. The signs were already installed and have been working.

**Motion by Vice-Chairman Gill to adopt Ordinance #2019-11. Seconded by Supervisor Rader. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2019-11 is hereby adopted.**

**VI. RESOLUTIONS**

**A. *Resolution #2019-50 – Adopting the 2019 Comprehensive Plan***

Mr. Martocci stated that an update to the Township's Comprehensive Plan has been prepared following a multi-year process which included input from a steering committee as well as citizens. It was discussed at a Public Meeting of the Planning Commission on both April 3<sup>rd</sup> and May 15, 2019, and the Board of Supervisors conducted a Public Hearing on July 30, 2019 at Jaindl Elementary School. Mr. Alex Tamerler, owner of Greentree Nurseries, questioned whether the Plan is looking ten or twenty years down the road, and whether it accommodates for the development that will occur over that time. Ms. April Showers, Consultant, stated that it does look at the next twenty years, and it does plan for all types of land uses and development that is expected to occur. Supervisor Rader stated that it's important to remember that this is a planning guide, and does not change Zoning, which would require future Ordinances and Public Hearings.

**Motion by Supervisor Rader to approve Resolution #2019-50, adopting the 2019 Upper Macungie Township Comprehensive Plan. Seconded Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-50 is hereby approved.**

**B. *Resolution #2019-51 – Barry Isett Office Building – Preliminary/Final Plan Approval***

Mr. Martocci stated that this plan complies with the UMT Subdivision and Land Development Ordinance and Zoning Ordinance. At a public meeting held on September 18, 2019, the Planning Commission reviewed and made recommendations on the project.

**Motion by Chairman Brunell to approve Resolution #2019-51, granting Preliminary/Final Approval of Docket #2275, Isett Property One Land Development Plan, conditioned upon staff and engineering review letters of September 16, 2019, and granting of Waiver #'s 1 through 10 and Deferral #11 as outlined in KCE's letter dated September 16, 2019. Seconded**

by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-51 is hereby approved.

**C. Resolution #2019-52 – Authorizing Signatories for Agricultural Easements**

Mr. Ibach stated that three agricultural easements on two properties the Township owns have been prepared and ready for settlement. The sale of the easements to Lehigh County will provide approximately \$432,000 to the Township to be used for future preservation.

**Motion by Chairman Brunell to approve Resolution #2019-52, authorizing the Township Manager and Solicitor to execute any necessary forms or documents for the conveyance of agricultural easements for Lehigh County PINE #'s 544474630557 and 545553504546. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-52 is hereby approved.**

**VII. MOTIONS**

**A. Accepting 2018 Audit Report**

Mr. Koller stated that the 2018 Audit Report was presented to the Board by Maillie LLC at their September meeting, and a motion is required to officially accept the report.

**Motion by Vice-Chairman Gill to accept the 2018 Financial Audit report as presented to the Board of Supervisors on Thursday, September 5, 2019 by Maillie LLC. Seconded by Supervisor Rader. The motion passed unanimously.**

**B. Authorizing Advertisement of RFP for Certified Public Accountant for Auditing Purposes**

Mr. Koller stated that the agreement with Maillie LLC is in its final year of five, the last two of which were optional years. Staff is requesting to develop and advertise an RFP for Auditing Services for the years 2020 through 2022, with 2023 and 2024 being optional years.

**Motion by Vice-Chairman Gill to authorize the advertisement of an RFP for Certified Public Accountants to provide an independent audit of the Township's financial records. Seconded by Supervisor Rader. The motion passed unanimously.**

**C. Authorizing Advertisement of a Public Hearing for Vacation of Moyer Road**

Mr. Martocci stated that in accordance with the approved subdivision plans, it is necessary to vacate a portion of Moyer Road to facilitate the construction of the new Glenlivet Road extension. Solicitor Schantz stated that a second road vacation item has recently emerged, and that is a portion of Twin Ponds Road near the new elementary school. He stated that both hearings could occur concurrently prior to the next Board meeting.

**Motion by Supervisor Rader to authorize the advertisement of a Public Hearing on the vacation of Moyer Road within the Lehigh Hills Subdivision, and also a portion of Twin Ponds Road, to be held on November 7, 2019 at 6:30 p.m. Seconded by Chairman Brunell. The motion passed unanimously.**

**D. Waiving Requirement of Concrete Storm Sewer for Lehigh Hills Lot 5 Phase 1**

Mr. Martocci stated that a formal waiver request has been submitted by The Pidcock Company on behalf of Jaindl Land Company to use High-Density Polyethylene Pipe (HDPEP) rather than Rigid Concrete Pipe (RCP). KCE provided an engineering review and has issued a letter supporting the use of HDPEP in most areas within Phase 1, except for under Township Roadways with less than 1 ½ feet of cover from the top of pipe to the finished roadway surface.

**Motion by Chairman Brunell to grant a Waiver of Section 801.A. – the UMT Infrastructure Construction Specification to permit the use of High-Density Polyethylene Pipe rather than Rigid Concrete Pipe, for the Lehigh Hills Lot 5 Phase 1 Supplement. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**E. *Appointing SAFEBuilt as Third-Party Code Inspector for Special Projects***

Manager Ibach stated that the Township currently utilizes three outside vendors for building code inspection services which were all recently appointed after an RFP was completed. SAFEBuilt was part of the RFP process but was not chosen for day-to-day projects; however, they have significant resources available for large specialty projects.

**Motion by Chairman Brunell to authorize the Township Manager to execute a Professional Services Agreement with SAFEBuilt LLC for use on special Commercial and Residential Projects. Seconded by Supervisor Rader. The motion passed unanimously.**

**F. *Grange Park Pavilion Concrete Pad Bid Results***

Manager Ibach stated that no bids were received after two rounds of advertisements. Staff is recommending that no action be taken at this time and it will be re-evaluated in 2020.

**G. *Authorizing Information Technology Hardware Purchases***

Mr. Sostarecz stated that many of the Township's computers are five years old or older with outdated specifications. More importantly, most of these computers are running Windows 7, which Microsoft is declaring "End of Life" as of January 14, 2020, meaning that they will no longer offer support or issue security updates past that date. Updating the current computers to Windows 10 is not cost-effective as the cost of the software upgrade and labor to complete the upgrade is a significant portion of the cost of a new device; in addition, some of the older computers would need hardware upgrades as well just to run the new operating system.

**Motion by Supervisor Rader to authorize the purchase of Information Technology Hardware from CDW Government in the amount of \$29,160.83. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**H. *Authorizing Purchase of ISCO Flow Meters***

Manager Ibach stated that the Township uses flow meters to monitor basin flows and for use as billing meters for Lower Macungie Township. These meters have reached the end of their serviceable life and we are requesting to begin a phased replacement program.

**Motion by Chairman Brunell to authorize the purchase of four (4) sewer flow meters in the amount of \$28,186.30 from Hartco Environmental. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**I. *Authorizing Execution of Christmas Decoration Contract***

Manager Ibach stated that these decorations are for the Fogelsville Tree Lighting ceremony and this cost is higher than usual because we are upgrading the lights to LED. Future year costs will be lower and in line with what we have paid in the past.

**Motion by Chairman Brunell to authorize the Township manager to execute a contract with Pennsylvania Lawn & Landscape, LLC for Christmas Decorations in the amount of \$1,278.00. Seconded by Supervisor Rader. The motion passed unanimously.**

**J. *Approving Lone Lane Park Disc Golf Course***

This agenda item tabled.

**K. *Approving Pickleball Instruction Program***

Ms. Matula stated that Andrea Jones has approached the Township to become our second Pickleball Instructor and would operate under the same stipulations which authorized the first instructor, Dottie Kelly, to operate.

**Motion by Supervisor Rader to approve pickleball instruction by Andrea Jones under the same stipulations followed by the Township's other instructor, Dottie Kelly. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**L. *Approving Pickleball Fundraising Tournament***

Ms. Matula stated that the new Pickleball Courts at Grange Park will be sought after for tournaments. These tournaments would cost very little for UMT to host, and the Recreation Board would like to see the fee waived for non-profits who can show the proceeds going back to their cause. There is a current request by Every Ribbon Counts who would name UMT Recreation as a sponsor for waiving the fee.

**Motion by Chairman Brunell to waive the rental fee for a Pickleball fundraising tournament on October 6, 2019 by Every Ribbon Counts, and naming UMT Recreation as a sponsor for waiving the fee. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**Motion by Chairman Brunell to adopt a policy to waive the fee when any fundraising event gives back 100% of the proceeds to their organizations cause, which is proven to the satisfaction of the Recreation Board. Seconded by Supervisor Rader. The motion passed unanimously.**

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

Mr. Grim stated that a request has been received to approve Fire Police to provide assistance for the Borough of Macungie Halloween Parade, Borough of Emmaus Halloween Parade, and Rock-N-Road Gravel Event at Valley Preferred Cycling Center.

**Motion by Supervisor Rader to approve Fire Police assistance for the Borough of Macungie Halloween Parade on October 26, 2019 from 6:00 p.m. until the end of the event; for the Borough of Emmaus Halloween Parade on October 19, 2019 from 7:30 p.m. until the end of the event; and for the Rock-N-Road Gravel Event at Valley Preferred Cycling Center on November 3, 2019 from 8:30 to 9:30 a.m. Seconded by Vice-Chairman Brunell. The motion passed unanimously.**

**VIII. BOARD AND STAFF REPORTS**

**A. *Treasurer***

The total bills from all funds for September 2019 was \$2,303,611.51.

**Motion by Supervisor Rader to pay the bills for September 2019 in the amount of \$2,303,611.51. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**B. *Recreation Board***

Ms. Matula stated that tennis instruction has concluded for the year and it was very successful, taking in \$11,240.00, with 20% of that going to the Township. Coming up soon is the very popular Barktoberfest which occurs at the Rt. 100 Park on Saturday, October 12<sup>th</sup>. Further details appear in the September Recreation Report.

**C. *Community Development***

Mr. Martocci stated that Americold appeared 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. He and Solicitor Schantz attended the hearing on behalf of the Township. The Zoning Hearing Board granted the Variance, and in Solicitor Schantz's opinion, there was not sufficient hardship shown to grant it.

**Motion by Chairman Brunell to authorize the Township Solicitor, as soon as the decision is received from the Zoning Hearing Board on the Americold variance, to file an appeal with**

**the Lehigh County Court of Common Pleas. Seconded by Supervisor Rader. The motion passed unanimously.**

The department issued 170 permits in September, 140 of which were building permits, and an additional 9 permits for single family attached homes. Further details appear in the September Community Development Report.

**D. Engineer**

Mr. Alban stated that for the Rt. 100 Traffic Adaptive project, Telco has provided their anticipated schedule and is on track to complete their work by December 31<sup>st</sup>. Regarding the Krocks Road truck signage, staff is currently in discussion with Lower Macungie Township to allow the placement of signs at SR222 and Krocks Road. A truck restriction study would also need to be performed to determine what appropriate signage could be utilized. Further details appear in the September Engineer's Report.

**E. Police**

Chief Colón stated that Trick-or-Treat is coming up at the end of the month, and he urges not only trick-or-treaters to be safe, but also motorists who should watch out for them. Further details appear in the September UMTPD Report.

856	Total Calls for Service
31	Reportable MVAs
27	Non-Reportable MVAs
10	Private Property MVAs
26	Criminal Arrest (Misdemeanor/Felony)
9	Non-Traffic Citations (Summary)
287	Traffic Citations
38	Parking Tickets
110	Written Warnings
81	False Alarms
0	Arsons
1	Assaults
1	Burglaries
9	Disturbing the Peace
6	Drug/Alcohol Violations
23	DUI Offenses
12	Fraud Crimes
0	Homicides
0	Motor Vehicle Thefts
1	Robberies
0	Sex Offenses
8	Thefts
7	Vandalism/Criminal Mischiefs
1	Vehicle Break-In/Thefts
0	Weapon Offenses

**F. Fire/EMS**

Mr. Grim reported that the Open House is coming up on October 5<sup>th</sup>, and he urges everyone to come out. Further details appear in the September Bureau of Fire Director's Report.

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**G. Public Works**

Mr. Faust stated that the Breinigsville pedestrian bridge has been finished, the path paved, and the crosswalks installed. Further details appear in the September Public Works Report.

**H. Secretary**

Mr. Sostarecz stated that the Board of Supervisors conducted three Executive Sessions: September 11, 2019 at 2:30 p.m.; September 21, 2019 at 2:15 p.m.; and October 3, 2019 at 6:30 p.m. The topic of all three sessions was Personnel.

**I. Manager**

Nothing to add.

**J. Solicitor**

Nothing to add.

**K. Board**

**i. Chairman Brunell**

Nothing to add.

**ii. Vice-Chairman Gill**

Offered thanks to Fogelsville Fire Station 8 for the Youth Football Program. He also requested Mr. Martocci look into Kuhnsville Auto for enforcement action.

**iii. Supervisor Rader**

She commended staff on the new Township Newsletter, which looks great.

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

Ms. Kathy Stone of Cottonwood Street stated that vehicles speeding in the Oakland Park neighborhood is a problem and there are not many speed limit signs.

**Motion by Chairman Brunell for KCE to do a study for Oakland Park development speed limit signs. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Mr. Charles Deprill stated that thank you letters should be sent to the Comprehensive Plan Steering Committee Members. Manager Ibach stated that a letter is already in the works.

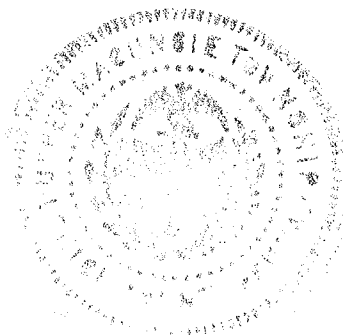
Mr. Grim stated that he wanted to acknowledge our own Lynn Matula who was inducted into the Cedar Crest College Hall of Fame for her role in tennis at their institution.

**X. ADJOURNMENT**

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 8:46 p.m. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Submitted by:

Kalman A. Sostarecz, Jr.  
Township Secretary



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