

**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 November 5, 2020 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; Michael Sitoski, Chief, UMTPD; Scott Faust, Public Works Director; Bruce Koller, Finance Director; Peter Christ, 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. October 1<sup>st</sup>, 8<sup>th</sup>, & 15<sup>th</sup> 2020**

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

**Motion by Chairman Brunell to waive the reading of the minutes of the October 1<sup>st</sup>, 8<sup>th</sup>, & 15<sup>th</sup> 2020 meetings and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**III. PRESENTATIONS****A. Proclamation Honoring Makala Ashmar**

The Board presented a proclamation in honor of Makala Ashmar to her mother and brother. State Representative Gary Day also presented a proclamation by the State House of Representatives.

**B. Proclamation Honoring Roger Conrad**

The Board presented a proclamation to Roger Conrad in recognition of his years of services as Deputy Emergency Management Coordinator.

**C. 2021 Budget Presentation**

Finance Director Bruce Koller provided a brief overview of the 2021 Budget which proposes no tax increases, \$35,177,770 in revenue, and \$34,488,471 in expenses. He stated that the budget would need to be advertised for display, and then be voted on by the Board for final adoption at the December meeting.

**Motion by Chairman Brunell to authorize the advertisement of the 2021 Proposed Budget as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**IV. DISCUSSIONS & UPDATES**

None

**V. ORDINANCES****A. Ordinance #2020-12 – Solid Waste**

Manager Ibach stated that much of the Solid Waste ordinance has not been updated since 1991 and there have been many changes over the years as to how the Township manages its solid waste. The proposed ordinance brings everything up to date with how it is actually occurring.

**Motion by Supervisor Rader to adopt Ordinance #2020-12, updating Chapter 20 – Solid Waste, of the Township of Upper Macungie Code of Ordinances. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Ordinance #2020-12 is hereby adopted.**

**B. Ordinance #2020-13 – Repealing Existing Delinquent Tax & Account Collection Procedures**

Mr. Koller stated that the Township's current delinquent account collector has not been performing as anticipated and the amount of unpaid sewer and refuse fees and liens has been increasing. Staff met with Portnoff Law Associates who provides comprehensive collection services and is engaged by many municipalities in Pennsylvania. The proposed ordinance and #2020-14 that follows are required to allow Portnoff to collect delinquent taxes and accounts.

**Motion by Vice-Chairman Gill to adopt Ordinance #2020-13, repealing Chapter 1, Part 5 and Chapter 24, Part 7 of the Township of Upper Macungie Code of Ordinances. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Ordinance #2020-13 is hereby adopted.**

**C. Ordinance #2020-14 – Instituting New Delinquent Tax & Account Collection Procedures**

Included in Item V. B. above.

**Motion by Vice-Chairman Gill to adopt Ordinance #2020-14, instituting new delinquent tax and account collection procedures. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Ordinance #2020-14 is hereby adopted.**

**D. Ordinance #2020-15 – Vacation of Additional Portion of Oldt Road**

Mr. Alban stated that a Public Hearing regarding the proposed vacation was held on August 6, 2020. Due to the realignment of Oldt Road, a portion of the roadway will be converted to grass; therefore, the underlining property will be given back to NFI for maintenance purposes. Mr. James Caffrey of 318 McBride Lane stated that speeding is now more of an issue due to the straightened roadway and requested a stop sign. Mr. Alban stated that would require a traffic study and it's likely that the traffic counts would not support such a stop sign.

**Motion by Supervisor Rader to adopt Ordinance #2020-15, vacating an approximate 5,550 square foot portion of Oldt Road. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Ordinance #2020-15 is hereby adopted.**

**VI. RESOLUTIONS**

**A. Resolution #2020-29 – Delinquent Real Estate Tax Collection**

Mr. Koller stated that this resolution is needed to direct Lehigh County Tax Claim Bureau to stop collecting delinquent tax accounts effective January 1, 2021 due to the engagement of Portnoff Law Associates who will be completing that on behalf of the Township.

**Motion by Chairman Brunell to approve Resolution #2020-29, directing Lehigh County Tax Claim Bureau to not collect delinquent real estate taxes on behalf of Upper Macungie Township. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**B. Resolution #2020-30 – Submission of PennDOT Multimodal Grant Application for SR-222 & Grange Road/Mill Creek Road**

Mr. Alban stated that the Board previously authorized an identical grant application which was submitted to PA DCED for the same project, which would upgrade the intersection of SR-222 and Grange Road/Mill Creek Road. Similar funds are available through PennDOT, which he is requesting authorization to submit for.

**Motion by Supervisor Rader to approve Resolution #2020-30, authorizing the submission of a PennDOT Multimodal Grant Application in the amount of \$200,000 for the intersection of SR-222 & Grange Road/Mill Creek Road. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

## VII. MOTIONS

### A. *Authorizing Engagement of Portnoff Law Associates for Collection of Delinquent Accounts*

Mr. Koller stated that this agenda item is to approve the actual engagement letter with Portnoff Law Associates which would spell out the terms of their agreement. This is related to the agenda items earlier in the evening regarding the collection of delinquent accounts. The engagement letter has been reviewed by the Township Solicitor and Manager.

**Motion by Supervisor Rader to authorize the Township Manager to execute a Letter of Engagement with Portnoff Law Associates for the collection of delinquent accounts to the satisfaction of the Township Solicitor and Manager. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

### B. *Authorizing Public Hearing for Zoning Ordinance Update – Microcells*

Mr. Martocci stated that technological advances regarding wireless antennas, including microcell distributed antenna systems, have surpassed current zoning requirements. An update to the Township's Zoning Ordinance is being prepared and a Public Hearing is required prior to its consideration for adoption.

**Motion by Supervisor Rader to authorize advertisement of a Public Hearing on a proposed amendment to Township Code Chapter 27 – Zoning, specifically related to Commercial Communications or Antennas to include Small Cell 5G Wireless Antennas. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

### C. *Authorizing Extension of Uline Building Second Phase – 800 Uline Way – Docket #2120*

Mr. Martocci stated that Uline, as part of their Land Development Plan, has approval for a 600,000 square foot addition to their facility. They currently have an extension through the end of 2021 but would like an additional one-year extension to complete the expansion.

**Motion by Vice-Chairman Gill to extend the construction time period for Docket #2120 for the construction of a 600,000 square foot building addition until December 31, 2022. Seconded by Supervisor Rader. The motion passed unanimously.**

### D. *Authorizing Execution of Agreement for COVID-19 County Relief Block Grant Program*

Manager Ibach stated that the Federal CARES Act provided funding for COVID-19 related expenses to the Commonwealth of Pennsylvania, which passed some of the money onto Counties. Lehigh County has in turn distributed a portion of the funds to each municipality based on population. Upper Macungie Township's portion is \$390,449.32, and the County is requiring the signing of an agreement to utilize the funds, which must be spent by the end of the year.

**Motion by Supervisor Rader authorize the Township Manager to execute an agreement with Lehigh County authorizing the terms of use for COVID-19 Block Grant Funds, and for the expenditure of such funds for grant-approved supplies, projects, and all related costs. Seconded by Chairman Brunell. The motion passed unanimously.**

### E. *Authorizing Renewal of Township Insurance Policy*

Mr. Koller stated that the Township typically renews its insurance policy during the summer of each year but was advised by the broker that better rates can be obtained by the underwriters during the fall. Staff has been working with the broker and has secured a new policy which would be effective November 1<sup>st</sup> of each year. This will also provide more time for the budgeting process.

**Motion by Chairman Brunell to approve the insurance proposal from Brown & Brown Lehigh Valley to insure the Township for the period November 1, 2020 to November 1, 2021 in an amount not to exceed \$150,000.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**F. Authorizing Purchase and Installation of Electronic Message Sign Board**

Manager Ibach stated that an LED message sign board installed at the municipal complex would allow the Township to communicate to the public our events, notices, and meeting dates. This was budgeted in the 2020 budget and staff was able to secure a quote below the initial estimate.

**Motion by Supervisor Rader to authorize the purchase and installation of an LED information sign board at the municipal complex from KC Signs at a cost of \$46,900.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**G. Appointing Roxann Colfer as Permits Clerk**

Manager Ibach stated that Ms. Colfer was previously hired as a Part-Time Clerical Assistant and has been working with several different departments; all have said that she is an excellent worker. There is currently a vacancy in the Permits Clerk position, and she would be a perfect fit.

**Motion by Vice-Chairman Gill to appoint Roxann Colfer as Full-Time Permits Clerk at a rate of \$15.90 per hour effective October 26, 2020. Seconded by Supervisor Rader. The motion passed unanimously.**

**H. Appointing Aubrie Miller to the UMT Planning Commission**

Manager Ibach stated that there is a vacancy on the Planning Commission and both he and Mr. Martocci interviewed Aubrie Miller who is interested in being appointed. Ms. Miller is currently employed as a Zoning Officer for the City of Allentown and is well qualified to fill the vacancy.

**Motion by Chairman Brunell to appoint Aubrie Miller to the Upper Macungie Township Planning Commission to fill the unexpired term ending December 31, 2023. Seconded by Supervisor Rader. The motion passed unanimously.**

**I. Appointing Jaclyn Svetcov to the Parks and Recreation Board**

Ms. Matula stated that Katie Shade resigned from the Parks and Recreation Board and five applications were received by interested residents to fill the vacancy. They attended a Parks and Rec Board meeting to be interviewed and their Board voted to recommend Jaclyn Svetcov.

**Motion by Supervisor Rader to appoint Jaclyn Svetcov to the UMT Parks and Recreation Board. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**J. Authorizing Conditional Offers of Employment to Police Department Candidates**

Chief Sitoski stated that there are two current vacant patrol officer positions due to a promotion and resignation. Eligible candidates were obtained through the Lehigh County Police Consortium and he is recommending their appointment pending background checks and clearances.

**Motion by Chairman Brunell to authorize conditional offers of employment to A. Kahn and J. Poapst as Police Patrolmen at a starting salary of \$67,512 per year per the current Collective Bargaining Agreement, pending successful completion of all background checks and clearances. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**K. Authorizing Police Department Bike Patrol Unit**

Chief Sitoski stated that staff has been discussing implementing a bicycle unit for some time and determined it would be a great addition to the department. It would allow officers assigned to the unit to engage the community at a more personal level and be more visible in neighborhoods. Officers would have a bicycle rack on their patrol vehicle to allow them to be on standard patrol or respond to calls in addition to performing bicycle patrol.

**Motion by Vice-Chairman Gill to authorize the creation of a Police Bicycle Patrol Unit and the purchase of two police bicycles and all applicable equipment at a cost not to exceed \$5,000. Seconded by Supervisor Rader. The motion passed unanimously.**

**L. Authorizing Purchase of Trimble Forensic Crash Reconstruction Equipment**

Chief Sitoski stated that their current crash reconstruction equipment was purchased by the Berks-Lehigh Regional Police in 2004, is outdated, and can no longer support the newest version of Microsoft Windows. He is recommending the purchase of Trimble Forensic Crash Reconstruction equipment to replace it.

**Motion by Chairman Brunell to authorize the purchase of Trimble Forensic Crash Reconstruction equipment from Keystone Precision Solutions at a cost of \$13,790.00. Seconded by Supervisor Rader. The motion passed unanimously.**

**M. Awarding of Bid for Secondary Winter Salt Supplier**

Mr. Faust stated that the Township purchases most of its winter salt supplies through COSTARS, however we are in a joint bid with surrounding municipalities to have a back-up just in case the COSTARS vendor cannot supply enough. This year Eastern Salt Company was the low bidder.

**Motion by Supervisor Rader to award the 2020 Secondary Winter Salt Bid to Eastern Salt Company, Inc. at a cost of \$57.57 per ton. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**N. Authorizing New Recreation Program – Chair Strength Class**

Ms. Matula stated that the Township has been specifically looking to add recreation programs for senior citizens and adults, as well as develop more partnerships with community organizations and businesses. The Recreation Board has proposed a low-impact chair-based strength and flexibility exercise program for adults of all ages which would be run by St. Luke's.

**Motion by Chairman Brunell to authorize the Chair Strength and Mobility Class partnering with St. Luke's University Health Network and their instructors. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**VIII. BOARD AND STAFF REPORTS**

**A. Treasurer**

The total bills from all funds for October 2020 was \$3,708,578.43.

**Motion by Chairman Brunell to pay the bills for October 2020 in the amount of \$3,708,578.43. Seconded by Supervisor Rader. The motion passed unanimously.**

**B. Recreation Board**

Ms. Matula stated that a ribbon cutting was held for the Breinigsville Park Pathway bridge and it was well-attended as well as an article appearing on the front page of The Morning Call. Additionally, due to the continuing COVID-19 pandemic, Kids Noon Year's Eve has been cancelled. Further details appear in the October 2020 Recreation Department Report.

**C. Community Development**

Mr. Martocci stated that the Americold Zoning Hearing Board decision which the Township appealed has been overturned by Lehigh County Court, and the Township believes that specific project has been abandoned. Additionally, the Community Development Department continues to be very busy with submissions. The department issued 116 permits in October, 54 of which were building permits, and an additional 13 permits for new structures. Further details appear in the October Community Development Report.

**D. Engineer**

Mr. Alban stated that regarding Rt. 100 Traffic Adaptive project, they are working on calibrating radar units to avoid interference from weather, other radar, and blind interference from roof tops of trucks. For the Rt. 100 Betterment project, the traffic pattern has switched to Segment 2 Stage

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2A and 2B which was combined to allow for wintertime work. For the Parkland School District project, widening has started on Schantz Road and Twin Ponds Road but is anticipated to stop mid-December due to winter conditions, at which time Twin Ponds would be reopened. Regarding the SR-222 & Schantz Road Roundabout, he is attempting to secure the final plans so that they can be posted for public knowledge. Further details appear in the October Engineer's Report.

**E. Police**

Chief Sitoski stated that due to the COVID-19 pandemic, National Night Out was cancelled, but their officers, along with the three UMT Fire Stations as well as Cetronia Ambulance, conducted a "Neighborhood Tour" which was very popular, and they will look to repeat it in the future. Additional details appear in the October Police Department Report.

862	Total Calls for Service
17	Reportable MVAs
42	Non-Reportable MVAs
8	Private Property MVAs
11	Criminal Arrest (Misdemeanor/Felony)
12	Non-Traffic Citations (Summary)
194	Traffic Citations
13	Parking Tickets
50	Written Warnings
80	False Alarms
0	Arsons
3	Assaults
1	Burglaries
13	Disturbing the Peace
13	Drug/Alcohol Violations
7	DUI Offenses
6	Fraud Crimes
0	Homicides
0	Motor Vehicle Thefts
0	Robberies
1	Sex Offenses
9	Thefts
5	Vandalism/Criminal Mischiefs
0	Vehicle Break-In/Thefts
0	Weapon Offenses

**F. Fire/EMS**

Fogelsville Aerial 831, which is currently at LTC for repair, is estimated to be completed on November 20<sup>th</sup>. Further details appear in the October Bureau of Fire Report.

**G. Public Works**

Nothing to add. Further details appear in the October Public Works Report.

**H. Secretary**

Mr. Sostarecz stated that the Board of Supervisors held two Executive Sessions – one on October 8, 2020 at 7:05 p.m., and one on November 5, 2020 at 6:00 p.m. The topic for both was personnel. He also reminded everyone that both the Reorganizational and General Business Meetings of the Board would be held on Monday, January 4, 2021.

**I. Manager**  
Nothing to add.

**J. Solicitor**  
Nothing to add.

**K. 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**

John Ellerman, Jr. spoke regarding flooding in his house that he had from the storm in August. He asked if someone could take a look at the storm water in his neighborhood.

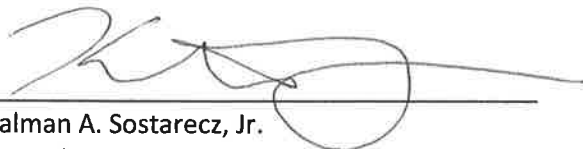
**Motion by Chairman Brunell to authorize Township Staff and consultants to study the drainage issues in the Lone Pond and Long Pond Lane neighborhood. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Mr. Caffrey spoke regarding the condition of the ADA Ramps which were recently installed near his property.

**X. ADJOURNMENT**

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 8:48 p.m. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.  
Township Secretary



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