

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 March 4, 2021 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; David Alban, Township Engineer; Andrew V. Schantz, Esq., Solicitor (via telephone); Michael Sitoski, Chief, UMTPD; Peter Christ, 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.

II. MINUTES**A. *February 4, 2021***

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

Motion by Supervisor Rader to waive the reading of the minutes of the March 4, 2021 meeting and approve them as presented. Seconded by Chairman Brunell. The motion passed unanimously.

III. PRESENTATIONS**A. *Proclamation Honoring Jeffrey Grim***

Chairman Brunell read a proclamation honoring Jeffrey Grim for his life-long commitment to volunteering for Fogelsville Fire Company; the Board followed by presenting him with a plaque.

B. *Proclamation Honoring Steve Rowe*

Chairman Brunell read a proclamation honoring Steve Rowe for his service as a Township Fire Marshal; the Board followed by presenting a plaque which was accepted by Jacques Creamer who was representing Mr. Rowe who could not attend.

C. *Recognizing Fire Department New Members & Certification Achievements*

Chairman Brunell, on behalf of the Board, stated that he would like to recognize and thank all of the new members of the three volunteer fire departments as well as those who have achieved certain certifications over the past year. He further thanked all members of the three volunteer fire departments for their hard work and service, especially during the pandemic.

IV. DISCUSSIONS & UPDATES**A. *Neighborhood Concerns with Traffic Speed in Schaefer Run***

Mr. Jared Coleman stated that he would like speeding addressed in his neighborhood and a traffic calming study to be completed. He would like to see the installation of traffic calming devices. Chief Sitoski stated that Lt. Reader reached out and spoke to Mr. Coleman to discuss the situation. Covert speed monitoring devices will be set up around the area to develop data. Mr. Alban stated that staff can research what would warrant traffic calming devices in the area.

B. *Docket #2292 – Proposed Sheetz Convenience Store, 951 Trexlertown Road – Discussion of Proposed Waiver Requests*

Attorney Blake Marles, on behalf of Sheetz, stated that new correspondence has been received from PennDOT which indicates their desire for a right-in/right-out access onto Route 100. Mr. Martocci stated that the UMT Planning Commission had recommended denial of the waiver



request for a right-in/right-out, but did recommend approval of a right-in only. Mr. Alban stated that PennDOT's guidance for municipalities for their SALDO ordinance creation, for that classification of roadway, is a separation distance of 600 feet from the driveway to the nearest intersection; the Township's SALDO requires only 300 feet; however, the applicant cannot meet that, therefore the need for a waiver. Chairman Brunell stated that since new information has been received from PennDOT that was not before the Planning Commission when they last made a recommendation, that it should be referred back to them for further consideration.

Motion by Chairman Brunell to send the waiver request back to the Planning Commission and allow them to make a new recommendation after considering the new information from PennDOT. Seconded by Supervisor Rader. The motion passed unanimously.

V. ORDINANCES

A. **Ordinance #2021-03 – Tax Collector Fees**

Manager Ibach stated that there is no statutory basis for tax collectors to charge fees for ancillary services, but the Township may enact an ordinance allowing such. The fees would become effective in 2022. The proposed fees are in line with other townships in the area.

Motion by Supervisor Rader to adopt Ordinance #2021-03, establishing fees for other tax collector services. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Ordinance #2020-03 is hereby adopted.

VI. RESOLUTIONS

A. **Resolution #2021-06 – Sewage Facilities Planning Module – Weilers Road Townhouse Development**

Manager Ibach stated that the Sewage Facilities Planning Module for the Weilers Road Townhouse Development has been prepared and a recommendation for approval has been received from Keystone Consulting Engineers. The Module would amend the Township's Official Sewage Facilities Plan to account for the increased sewage from the development.

Motion by Vice-Chairman Gill to approve Resolution #2021-06, amending the Township's Official Sewage Facilities Plan for the Weilers Road Townhouse Development. Seconded by Supervisor Rader. The motion passed unanimously.

B. **Resolution #2021-07 – Docket #1999 – Weilers Road Townhouse Development – Preliminary/Final Land Development Plan**

Mr. Martocci stated that the application proposes 36 buildings which will contain 144 townhouse units. Also proposed are several roadways, overflow parking areas, and a private recreation area. The project is situated along Weilers Road near the intersection of Hamilton Boulevard and Rt. 222. At their meeting of November 18, 2020, the Upper Macungie Township Planning Commission reviewed and made recommendations on the waivers requested and on the Plan Approval.

Motion by Chairman Brunell to approve Resolution #2021-07, granting Preliminary/Final Land Development Plan approval to Docket #1999, Weilers Road Townhouse Development, conditioned on the review comments outlined in Staff and Engineering review letters dated November 16, 2020, and the granting of waiver numbers 1 through 5. Seconded by Vice-Chairman Gill. The motion passed unanimously.

VII. MOTIONS

A. **Authorizing Township Solicitor to Oppose Fogelsville Senior Living Zoning Hearing Board Appeal**

Mr. Martocci stated that the applicant has proposed a 75-foot tall, 5-story senior living building, whereas the maximum building height within the NC Zoning District is 35 feet and 2 ½-stories. The project was reviewed as a sketch plan by the UMT Planning Commission at their January meeting and they raised several concerns related to safety and access. The applicant is scheduled to appear

before the UMT Zoning Hearing Board on March 10th. Chairman Brunell stated that for obvious reasons he feels that exceeding the height requirements by such a large amount is not responsible, especially with the Heather Glen incident in our recent past.

Motion by Chairman Brunell to authorize the Township Solicitor to appear on behalf of the Upper Macungie Township Board of Supervisors as an interested party and possible objector to the Zoning Hearing Board Appeal of Headwaters Development on March 10, 2021. Seconded by Supervisor Rader. The motion passed unanimously.

B. Authorizing Advertisement of a Public Hearing for Ordinance Amendments for Building Code Updates

Mr. Martocci stated that amendments to the Building Code of the Township are required to ensure Township personnel are authorized to enforce the PA Uniform Construction Code in a fashion that is most beneficial to its residents and businesses. A Public Hearing is required prior to consideration of adoption of the Ordinance. The proposed Ordinance is currently before the PA Department of Labor and Industry for review.

Motion by Vice-Chairman Gill to authorize the advertisement of a Public Hearing for ordinance amendments for Building Code updates. Seconded by Supervisor Rader. The motion passed unanimously.

C. Authorizing Forwarding of Proposed Zoning Ordinance Amendment to the UMT Planning Commission

Mr. Martocci stated that Jaindl Land Company has proposed a zoning text amendment which would permit the use of Pharmaceutical Manufacturing within the Limited Light Industrial Park Zoning District. Township Staff recommends that the Board forward the request to the UMT Planning Commission for review and recommendation. It would then be brought back to the Board to consider scheduling a Public Hearing and consideration of adoption.

Motion by Chairman Brunell to authorize the forwarding of the proposed Zoning Ordinance Amendment regarding pharmaceutical manufacturing within the Limited Light Industrial Park Zoning District to the UMT Planning Commission for the review and recommendation. Seconded by Vice-Chairman Gill. The motion passed unanimously.

D. Authorizing Advertisement and Hiring of Public Works Employees

Mr. Faust stated that he is requesting to advertise for a PW Administrative Assistant and Road Crew Assistant Team Leader. The Administrative Assistant position was created in 2020 but was never filled, and the Road Crew Team Leader position is not yet vacant, but will be this summer when a current employee resigns.

Motion by Supervisor Rader to authorize Township Staff to advertise for a Full-Time Public Works Administrative Assistant and vacant Road Crew Assistant Team Leader. Seconded by Chairman Brunell. The motion passed unanimously.

E. Authorizing Advertisement of a Request for Proposals for Conflict Engineer

Manager Ibach stated that Barry Isett and Associates has been utilized in the past when the Township's Engineer, Keystone Consulting Engineers, was unable to complete projects due to a conflict of interest. The benefit of an RFP for Conflict Engineer would allow a cost comparison for these services to be done, establishing standard expectations, and creating a formal process for choosing our vendors. The Conflict Engineer would be of limited use when necessary.

Motion by Chairman Brunell to authorize Township Staff to prepare and advertise a Request for Proposals for Conflict Engineer for Engineering Services. Seconded by Vice-Chairman Gill. The motion passed unanimously.

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F. *Appointing Dana Heller as Utility Billing Clerk*

Mr. Koller stated that there is a vacant Utility Billing Clerk position, and ten applications were received. Following review of the applications and a round of interviews, Ms. Heller was found to be the most qualified for the position. She has 30+ years of experience in court administration, customer service, data entry, and accounts payable/receivable.

Motion by Supervisor Rader to authorize the appointment of Dana Heller as Full-Time Utility Billing Clerk at the rate of \$16.39 per hour, effective March 15, 2021, pending successful completion of all background checks and clearances. Seconded by Vice-Chairman Gill. The motion passed unanimously.

G. *Appointing Kevin Hodrick as Deputy Tax Collector*

Manager Ibach stated that the Tax Collector, under the Local Tax Collection Law, must appoint a Deputy Tax Collector, but that they must be approved by the municipality. Tracy Hodrick, our current Tax Collector, has recommended appointment of her husband, Kevin Hodrick.

Motion by Vice-Chairman Gill to authorize the appointment of Kevin Hodrick as Deputy Tax Collector of Upper Macungie Township, effective March 5, 2021. Seconded by Supervisor Rader. The motion passed unanimously.

H. *Authorizing New Tripoli Bank as Depository for Tax Collector of Upper Macungie Township*

Manager Ibach stated that Ms. Hodrick has requested to utilize New Tripoli Bank to act as the depository for tax proceeds. Under the Local Tax Collection Law, the municipality must approve the request.

Motion by Supervisor Rader to authorize New Tripoli Bank as depository for the Tax Collector of Upper Macungie Township effective March 5, 2021. Seconded by Vice-Chairman Gill. The motion passed unanimously.

VIII. BOARD AND STAFF REPORTS

A. *Treasurer*

The total bills from all funds for February 2021 was \$2,046,414.52.

Motion by Chairman Brunell to pay the bills for February 2021 in the amount of \$2,046,414.52. Seconded by Vice-Chairman Gill. The motion passed unanimously.

B. *Recreation Board*

Ms. Matula stated that the Recreation Board did not meet in January due to inclement weather. The Bunny Hop Trunk Hunt is scheduled for Sunday, March 28th. Further details appear in the February Recreation Department Report.

C. *Community Development*

Mr. Martocci stated that staff are currently working on Zoning Amendments which will be brought before the Board in the future for consideration to advertise an Ordinance. The department issued 69 permits in January, 41 of which were building permits, and an additional 8 permits for new structures. Further details appear in the February Community Development Report.

D. *Engineer*

Mr. Alban provided updates on the Rt. 100 Traffic Adaptive, Rt. 100 Betterment, and Schantz Road Roundabout Project. Further details appear in the February Engineer's Report.

E. *Police*

Chief Sitoski stated that the department wrapped up its "Let it Grow" fundraising effort which began with "No Shave November" and continued for two additional months due to the popularity.

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The events raised \$3,040 for the Parkland C.A.R.E.S. Food Pantry. Additional details appear in the February Police Department Report.

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| 835 | Total Calls for Service |
| 10 | Reportable MVAs |
| 42 | Non-Reportable MVAs |
| 7 | Private Property MVAs |
| 25 | Criminal Arrest (Misdemeanor/Felony) |
| 14 | Non-Traffic Citations (Summary) |
| 160 | Traffic Citations |
| 5 | Parking Tickets |
| 51 | Written Warnings |
| 91 | False Alarms |
| 0 | Arsons |
| 2 | Assaults |
| 0 | Burglaries |
| 3 | Disturbing the Peace |
| 8 | Drug/Alcohol Violations |
| 16 | DUI Offenses |
| 9 | Fraud Crimes |
| 0 | Homicides |
| 0 | Motor Vehicle Thefts |
| 0 | Robberies |
| 0 | Sex Offenses |
| 4 | Thefts |
| 3 | Vandalism/Criminal Mischiefs |
| 0 | Vehicle Break-In/Thefts |
| 0 | Weapon Offenses |

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F. Fire/EMS

Mr. Christ stated that Knox Boxes have been installed in all department apparatus and that commercial businesses are being encouraged to install them as well. Further details appear in the February Bureau of Fire Report.

G. Public Works

Mr. Faust stated that he would like approval to sell a used 2016 Lazer Mower to Lynn Township for \$3,400.00.

Motion by Chairman Brunell to authorize the sale of the 2016 Lazer Mower to Lynn Township at a price of \$3,400.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.

Mr. Faust also reminded everyone that there is a lot of mulch available at the Yard Waste site. Details appear in the February Public Works Report.

H. Secretary

Mr. Sostarecz stated that one Executive Session was held by the Board of Supervisors on Thursday, March 4, 2021 at 6:30 p.m., the topic was personnel.

I. Manager

Manager Ibach stated that a Rain Barrel event will be held later this year. The educational portion will be held online, and each attendee will receive a voucher to pick up their rain barrel at Grange Park. This is being provided in conjunction with a grant through the Conservation District.

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Additionally, regarding Kline’s Island, we have not yet heard back from DEP on the Act 537 Extension.

J. Solicitor

Nothing to add.

K. Board

i. Chairman Brunell

Would like to remind everyone that if anyone is looking for land to farm, he has been contacted by a local landowner who we can put them in contact with. Also, he congratulates Mr. Christ and his father who were both honored in Senator Browne’s newsletter for their dedication to the fire services in the area.

ii. Vice-Chairman Gill

Wishes everyone a happy St. Patrick’s Day!

iii. Supervisor Rader

Nothing to add.


IX. PUBLIC COMMENT/COURTESY OF THE FLOOR

Mr. Charles Deprill wants to make sure that everyone realizes that our three fire departments are fully volunteer.

X. ADJOURNMENT

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 8:47 p.m. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.
Township Secretary



