

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 1, 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; Michael Sitoski, Chief, UMTPD; Peter Nickischer, Lieutenant, 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. *March 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 Chairman Brunell to waive the reading of the minutes of the March 4, 2021 meeting and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.

III. PRESENTATIONS**A. *Badge Pinning Ceremony – Sergeant Donald Fregede***

Chief Sitoski introduced Sergeant Fregede who was newly promoted to the position and read a brief bio about him. The Sergeant's wife, Jennifer, pinned his badge on his uniform.

IV. DISCUSSIONS & UPDATES**A. *Trexler Fields Development – Developer Completion of Punch List***

Eric Griesemer, representing Kay Builders, stated that they are asking for relief as they understand an extension needs to be signed to their developer's agreements and increased security be posted. They expect to reach substantial completion with the paving in the next 90 – 120 days; if they don't complete it within 120 days Kay does agree to the additional security. They won't be finished with landscaping until the Fall. Chairman Brunell stated that the Township could ask for compounding interest but is only asking for one year of interest, which is more than fair. The amount is only approximately \$80,000 and if Kay is not able to post it, which could be in the form of cash, a Letter of Credit, or a Bond, he questions the ability for Kay to complete the work. He asked if a construction schedule would be submitted; Mr. Griesemer stated that it should take a week to put together.

Motion by Chairman Brunell to table this until the next meeting for the Township to get a chance to look at the construction schedule and make sure that they posted the increased security. Seconded by Supervisor Rader. The motion passed unanimously.

V. ORDINANCES

None

VI. RESOLUTIONS**A. *Resolution #2021-08 – Docket #2315 – Sam Adams Keg Cooler Addition – Minor Land Development Plan***

Mr. Martocci stated that the applicant proposes to construct a 21,780 square foot addition to the existing Sam Adams Brewery which will consist of a keg storage warehouse, ingredient storage



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area, cold storage building, and pallet storage area. At their March 17, 2021 meeting the UMT Planning Commission reviewed the application and recommended its approval.

Motion by Supervisor Rader to approve Resolution #2021-08, granting Final Minor Land Development Plan Approval to Docket #2315, Sam Adams Keg Cooler Addition, conditioned on the review comments outlined in Staff and Engineering Review Letters dated March 15, 2021. Seconded by Vice-Chairman Gill. The motion passed unanimously.

B. Resolution #2021-09 – Docket #2175A – Lehigh Hills Lot #5 Apartments, 1400 Nursery Street – Amended Final Land Development Plan

Mr. Martocci stated that the land development plan was approved by the Board at their December 7, 2018 meeting, and the applicant is seeking to amend the previously approved land development plan to include finalized designs for Building F, addition of a mailbox cluster, additional parking spaces, a larger clubhouse, larger play area, terrace, and drop off area for the clubhouse. At their March 17, 2021 meeting the UMT Planning Commission reviewed the application and recommended its approval.

Motion by Chairman Brunell to approve Resolution #2021-09, granting Revised Final Plan Approval to Docket #2175A, Lehigh Hills Apartments, conditioned on the review comments outlined in Staff and Engineering review letters dated March 17, 2021. Seconded by Supervisor Rader. The motion passed unanimously.

C. Resolution #2021-10 – Docket #2299 – Hidden Meadows Phase III, 600 Werley Road – Waiver Requests

Mr. Martocci stated that the applicant proposes to subdivide and develop a residual tract of the Hidden Meadows Phase II development and proposes to construct twenty townhouse units. They are seeking waivers including a reduction in horizontal curves and cartway widths. Mr. Christ stated that some of the dimensions do not work for fire apparatus, especially the reduction from the 36' to 30' cartway width. Chairman Brunell asked the applicant about the dimensions they are proposing, and they stated that they are providing for the maximum without encroaching on the nearby wetlands otherwise they would require different waivers.

Motion by Chairman Brunell to approve Resolution #2021-10, granting waivers from Township Code Sections 22-503.1 and 22-704.3.B., as well as Section 22-704.2.A, but only as it pertains to the 50' Right of Way, and have the 30' cartway width reviewed further, as outlined in a letter from The Crossroads Group, dated March 17, 2021, for Docket #2299, Hidden Meadows Phase III, Subdivision Plan. Seconded by Vice-Chairman Gill. The motion passed unanimously.

D. Resolution #2021-11 – Sewage Planning Module – Heeps Meats, 5239 W. Tilghman Street

Manager Ibach stated that the Sewage Facilities Planning Module for Heeps Meats 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 Chairman Brunell to approve Resolution #2021-11, amending the Township's Official Sewage Facilities Plan for Heeps Meats. Seconded by Vice-Chairman Gill. The motion passed unanimously.

VII. MOTIONS

A. Ratification of Public Works Collective Bargaining Agreement

Mr. Ibach stated that the current Collective Bargaining Agreement with the Public Works employees will expire on April 30th and it was a one-year agreement due to the pandemic last year. Negotiations have occurred and a three-year agreement has been prepared which is the

normal term length for our PW labor agreements. The agreement includes an average 3% wage increase and caps the employee's co-payment for health care at a dollar amount rather than a percentage.

Motion by Chairman Brunell to approve the Collective Bargaining Agreement with the International Brotherhood of Electrical Workers Local 375, representing the Public Works Department employees, with a three-year term expiring on April 30, 2024. Seconded by Supervisor Rader. The motion passed unanimously.

B. Authorizing Wage Adjustment for Part-Time Public Works Employees

Mr. Faust stated that three of the five part-time employees in Public Works currently earn significantly less per hour than the other two, and he requests they be given a \$1.00 per hour wage increase to remain competitive with other area employers and to retain our employees.

Motion by Vice-Chairman Gill to authorize a wage increase of \$1.00 per hour for three part-time Public Works Employees effective April 12, 2021. Seconded by Supervisor Rader. The motion passed unanimously.

C. Authorizing Execution of Multimodal Grant Documents for Air Products & Chemicals, Inc.

Manager Ibach stated that a multi-modal grant is being submitted for traffic lights, roadways, traffic markings, sidewalks, and curbs. The improvements constructed using the grant will become Township responsibilities, with the exception of the sidewalks and curbs, which a Memorandum of Understanding will cover. PennDOT requires the municipality to sign a Joinder agreement as part of the grant award in case the grantee, Air Products, would no longer be able to maintain the traffic improvements.

Motion by Vice-Chairman Gill to authorize the execution of Multi-Modal Grant Documents and the accompanying Memorandum of Understanding for Air Products & Chemicals, Inc. Seconded by Supervisor Rader. The motion passed unanimously.

D. Authorizing Execution of Agreement for Information Technology Consulting Services

Mr. Sostarecz stated that Township Staff has continued to have considerable concerns as to the lack in quality of service that the current IT Consultant, SSI, has provided to the Township. Both he and the Township Manager met with three prospective firms and are in agreement that the Township would be best served by Infradapt, LLC. They have a lot of experience throughout the region with over 300 active clients including fairly recent agreements with both Lower Macungie Township and Emmaus Borough, who report that they are very happy with them. They are also a Township-based business, with their headquarters on Trexlertown Road, which would maximize response times to our facility should the need arise.

Motion by Supervisor Rader to authorize the execution of a twelve-month agreement with Infradapt, LLC to provide Information Technology Consulting Services at a cost not to exceed \$5,139.50 per month, with an initial setup fee for the same amount, with agreements to be drafted to the satisfaction of the Township Manager and Solicitor. Seconded by Vice-Chairman Gill. The motion passed unanimously.

E. Awarding of Bid – 2021 Lawn Mowing Contract

Mr. Faust stated that two bids were received: All American Property Maintenance at \$29,430.00 and Pennsylvania Lawn & Landscape at \$16,497.00.

Motion by Vice-Chairman Gill to award the 2021 Lawn Mowing Contract to Pennsylvania Lawn & Landscape, LLC in the amount of \$16,497.00. Seconded by Chairman Brunell. The motion passed unanimously.

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F. Awarding of Bid – 2021 Polymer Modified Crack Seal Project

Mr. Alban stated that the Township received three bids for this project ranging in price from \$42,000.00 to \$64,710.00, with the lowest responsible bidder being Asphalt Maintenance Solutions, LLC.

Motion by Chairman Brunell to award the 2021 Polymer Modified Crack Seal Project to Asphalt Maintenance Solutions, LLC in the amount of \$42,000.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.

G. Awarding of Bid – 2021 Ultra-Thin Friction Course Project

Mr. Alban stated that the Township received one bid for this project in the amount of \$329,792.00 from Asphalt Maintenance Solutions, LLC.

Motion by Chairman Brunell to award the 2021 Ultra-Thin Friction Course Project to Asphalt Maintenance Solutions, LLC in the amount of \$329,792.00. Seconded by Supervisor Rader. The motion passed unanimously.

H. Awarding of Bid – 2021 Bituminous Seal Coat with Slurry Seal Project

Mr. Alban stated that the Township received one bid for this project in the amount of \$220,796.24 from Asphalt Maintenance Solutions, LLC.

Motion by Supervisor Rader to award the 2021 Bituminous Seal Coat with Slurry Seal Project to Asphalt Maintenance Solutions, LLC in the amount of \$220,796.24. Seconded by Vice-Chairman Gill. The motion passed unanimously.

I. Authorizing Sale of 2001 JD Boom Mower

Mr. Faust stated that Lynn Township would like to purchase our 2001 JD Boom Mower at a price of \$22,000.00.

Motion by Chairman Brunell to authorize the sale of the 2001 JD Boom Mower to Lynn Township at a price of \$22,000.00. Seconded by Supervisor Rader. The motion passed unanimously.

Authorizing Sale of 2005 Elgin Street Sweeper

Mr. Faust stated that Weisenberg Township would like to purchase our 2005 Elgin Street Sweeper at a price of \$12,000.00.

Motion by Vice-Chairman Gill to authorize the sale of the 2005 Elgin Street Sweeper to Weisenberg Township at a price of \$12,000.00. Seconded by Supervisor Rader. The motion passed unanimously.

K. Authorizing Preparation and Advertisement of a Bid for Mill Road Widening

Mr. Alban stated that the Township Staff and consultants would like to move forward on the widening of Mill Road, and they would like permission to advertise a bid.

Motion by Vice-Chairman Gill to authorize the preparation and advertisement of a Bid for Mill Road Widening. Seconded by Supervisor Rader. The motion passed unanimously.

L. Authorizing Preparation and Advertisement of an Ordinance Amending Township Code Chapter 17 – Stormwater Management and Chapter 18 – Sewers and Sewage Disposal

Manager Ibach stated that some minor updates are needed to these sections of the Township Code to address language changes as well as sewer lateral inspections.

Motion by Chairman Brunell to authorize the preparation and advertisement of an Ordinance amending Township Code Chapter 17 – Stormwater Management and Chapter 18 – Sewers and Sewage Disposal. Seconded by Supervisor Rader. The motion passed unanimously.

VIII. BOARD AND STAFF REPORTS

A. *Treasurer*

The total bills from all funds for March 2021 was \$1,312,483.11.

Motion by Chairman Brunell to pay the bills for March 2021 in the amount of \$1,312,483.11. Seconded by Vice-Chairman Gill. The motion passed unanimously.

B. *Recreation Board*

Ms. Matula stated that the Spring/Summer Newsletters have gone out and all residents should have received one. Also, after working on it for many months, the online payment system for park rentals is now active and should assist residents in reserving pavilions and registering for recreation events. Further details appear in the March Recreation Department Report.

C. *Community Development*

Mr. Martocci stated that an appeal will be heard at the Zoning Hearing Board meeting on April 28, 2021 regarding the Zoning Officer's interpretation of a truck stop. He advised that it may be a good idea to have the Township Solicitor appear at the hearing on behalf of the Board of Supervisors.

Motion by Chairman Brunell to authorize the Township Solicitor to appear as an interested party at the Zoning Hearing Board hearing for the truck stop interpretation. Seconded by Vice-Chairman Gill. The motion passed unanimously.

The department issued 160 permits in March, 72 of which were building permits, and an additional 28 permits for new structures. Further details appear in the March Community Development Report.

D. *Engineer*

Mr. Alban provided updates on the Rt. 100 Traffic Adaptive, Rt. 100 Betterment, Schantz Road Roundabout Project, and Rt. 100/Tilghman Street traffic signal. Further details appear in the March Engineer's Report.

E. *Police*

Lieutenant Nickischer stated that the department's new Project Lifesaver program is up and running. Anyone with questions can phone the department for details. Additional details appear in the March Police Department Report.

910	Total Calls for Service
24	Reportable MVAs
34	Non-Reportable MVAs
6	Private Property MVAs
19	Criminal Arrest (Misdemeanor/Felony)
11	Non-Traffic Citations (Summary)
300	Traffic Citations
26	Parking Tickets
144	Written Warnings
86	False Alarms
0	Arsons
2	Assaults
1	Burglaries
2	Disturbing the Peace
3	Drug/Alcohol Violations
9	DUI Offenses
9	Fraud Crimes



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0	Homicides
0	Motor Vehicle Thefts
0	Robberies
1	Sex Offenses
4	Thefts
3	Vandalism/Criminal Mischiefs
2	Vehicle Break-In/Thefts
0	Weapon Offenses

F. Fire/EMS

Mr. Christ stated that he has been working with the state representative on the Fire Apparatus Study which is nearing completion; he should have additional details in the near future. He has been working on updates to the Township Fire Ordinance to include updating requirements about the EVOC, and the Emergency Operations Center was toured by Lehigh County EMA who was very impressed with our setup. Further details appear in the March Bureau of Fire Report.

G. Public Works

Nothing to add.

H. Secretary

Mr. Sostarecz stated that one Executive Session was held by the Board of Supervisors on Thursday, April 1, 2021 at 5:45 p.m., the topic was legal matters. Also, he reminded everyone that the Township partners with Keep PA Beautiful to help keep our roadways clean. Information can be found on the Township's website, in the newsletter, or anyone can phone him for more details.

I. Manager

Manager Ibach stated that the Township is planning to hold its first ever Household Hazardous Waste event at Grange Park on August 21st and is partnering with our refuse and recycling hauler, Whitetail Disposal. He also stated that there has been some concern with the intersection of Nursery Street and Lime Street and he asks for permission for a traffic study to be completed to determine if a four-way stop is needed, and if so an Ordinance would be drafted.

Motion by Supervisor Rader to complete a traffic study of the Nursery Street and Lime Street intersection. Seconded by Vice-Chairman Gill. The motion passed unanimously.

J. Solicitor

Nothing to add.

K. Board

i. Chairman Brunell

Nothing to add.

ii. Vice-Chairman Gill

Stated that the Township's newsletter looks really great.

iii. Supervisor Rader

Nothing to add.



IX. PUBLIC COMMENT/COURTESY OF THE FLOOR

Lehigh County Executive Philips Armstrong attended the meeting and spoke briefly about the election drop box and the CARES funding which was forwarded last year. He stated that he likes to attend a meeting in each municipality at least once a year and is always happy to come to Upper Macungie. He thanked everyone for their hard work and doing a good job.

James and Mandy Marquardt of 7618 Ruppsville Court spoke about the proposed Sheetz store on Cetronia Road and how they don't feel it is a good fit for the neighborhood. Mr. Martocci stated that there would be a future Conditional Use Hearing for that project which would be the best time to be heard regarding it.

Attorney Chris McClain of Fitzpatrick Lentz & Bubba was present on behalf of his client, Fogelsville Senior Living, to get the Board's general opinion on the height variance that they are in need of to construct the senior living center off of Rt. 100 in Fogelsville. They previously had proposed a 75' five-story structure, but are revising that down to 35' and 2.5 stories, 10-12 feet of which is roof. The Board members individually stated that they would not be in favor of any senior living structure that required a height variance. Supervisor Rader stated that the Township experienced a terrible fire at Heather Glen Senior Living which is only two stories and it was very difficult getting elderly patients down ladders in the middle of the night, and she can't imagine anything with more stories ever working.

X. ADJOURNMENT

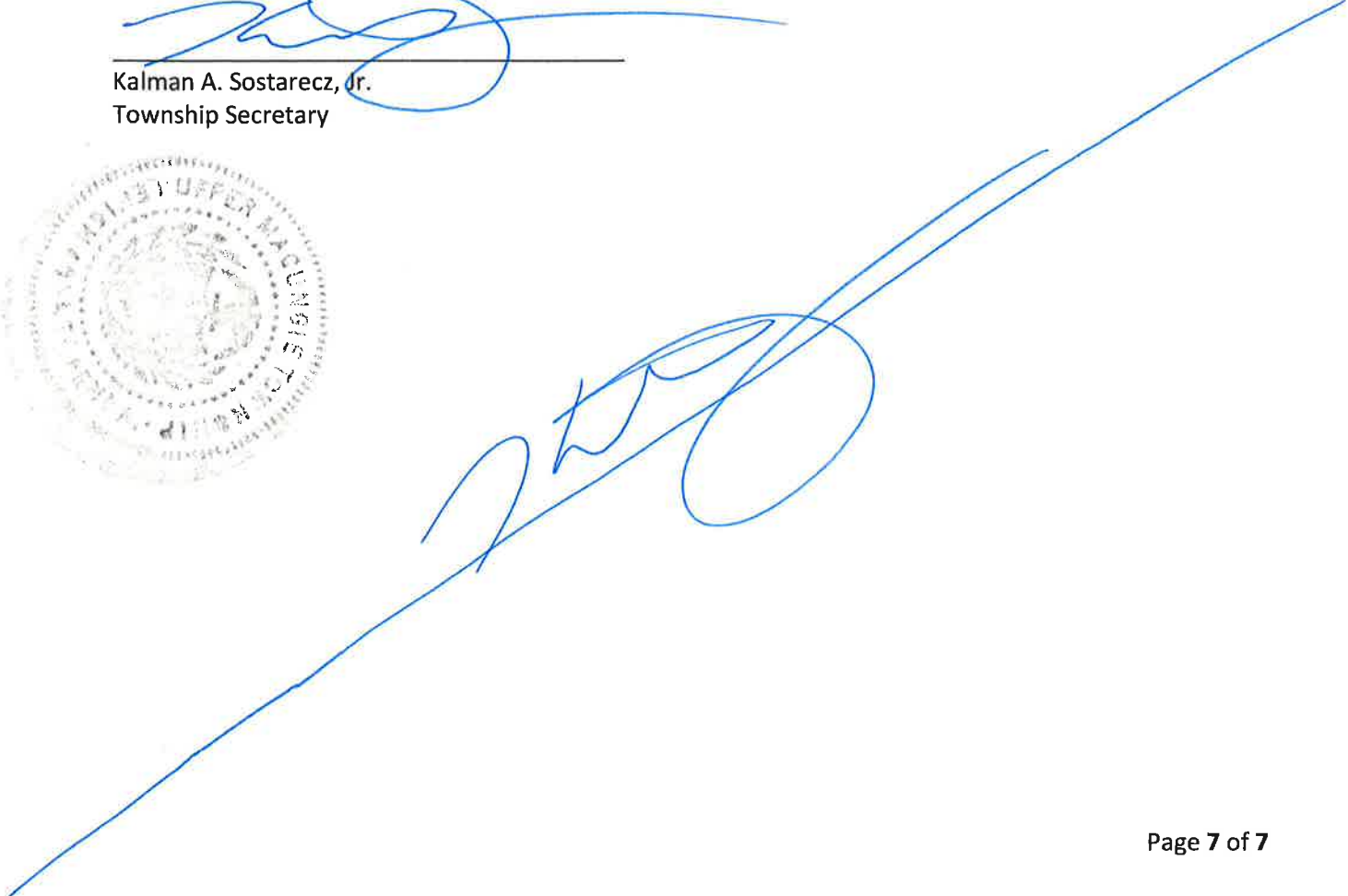
There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 9:06 p.m. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.
Township Secretary





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