

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 June 3, 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; Cory Reader, 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. May 6, 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 May 6, 2021 meeting and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.

III. PRESENTATIONS

None

IV. DISCUSSIONS & UPDATES

None

V. ORDINANCES**A. Ordinance #2021-04 – Building Code Updates**

Mr. Martocci stated that a Public Hearing was conducted prior to the meeting to hear testimony regarding the proposed ordinance which amends Chapter 5 – Code Enforcement, to ensure Township personnel are authorized to enforce the PA Uniform Construction Code in a fashion which is most beneficial to its residents and businesses.

Motion by Chairman Brunell to approve Ordinance #2021-04, amending Chapter 5 – Code Enforcement of the Township of Upper Macungie Code of Ordinances. Seconded by Vice-Chairman Gill. The motion passed unanimously. BE IT RESOLVED, Ordinance #2021-04 is hereby adopted.

B. Ordinance #2021-08 – Zoning Ordinance Amendment – Pharmaceutical Manufacturing

Mr. Martocci stated that a Public Hearing was conducted prior to the meeting to hear testimony regarding the proposed ordinance which amends Chapter 27 – Zoning, to include Pharmaceutical Manufacturing within the Limited Light Industrial Park Zoning District. The proposed ordinance was drafted upon petition by a private citizen and was first reviewed by the UMT Planning Commission at their April 21, 2021 meeting and made a recommendation to approve the proposed amendment.

Motion by Vice-Chairman Gill to approve Ordinance #2021-08, amending Chapter 27 - Zoning of the Township of Upper Macungie Code of Ordinances. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Ordinance #2021-08 is hereby adopted.



VI. RESOLUTIONS

A. *Resolution #2021-20 – Docket #2306 – Sheetz, Inc., 951 Trexlertown Road – Conditional Use*

Mr. Martocci stated that Sheetz, Inc. has submitted a Conditional Use application to construct a 6,070 square foot Auto Service Station at 951 Trexlertown Road which is within the Township's LI – Light Industrial Park Zoning District. Per the PA Municipalities Planning Code, the UMT Planning Commission reviewed the application at their May 19, 2021 meeting and recommended approval with conditions regarding landscape screenings. The Board of Supervisors conducted a Public Hearing on June 2, 2021 at which testimony was presented by the applicant to support their application; no objectors were heard or presented testimony to contest the application. Public Notice was provided per the MPC for all meetings and hearings. Chairman Brunell stated that although the hearing was the prior evening, he asked if there was any public comment this evening; no one in attendance offered any comment.

Motion by Chairman Brunell to approve Resolution #2021-20 for Docket #2306, Sheetz Conditional Use, subject to the testimony presented by the Applicant and Conditioned upon a requirement of additional landscape screenings along the existing residence located directly adjacent the northeast corner of the property. These screenings shall be satisfactory to the Planning Commission during the Land Development Review. Seconded by Supervisor Rader. The motion passed unanimously.

B. *Resolution #2021-21 – Docket #2304A – Towns at Schaefer Run – Lot Line Adjustment Plan*

Mr. Martocci stated that the plan proposes the consolidation of existing parcels into one tract which is the site of a proposed 128-unit townhouse development which is presently in the sketch plan review process. The property is located near the intersections of the Route 100 bypass and Weilers Road. The UMT Planning Commission reviewed the Lot Consolidation Plan at their May 19, 2021 meeting and made a recommendation for approval.

Motion by Chairman Brunell to approve Resolution #2021-21, granting Final Plan Approval to Docket #2304A – Towns at Schaefer Run, Lot Consolidation Plan, conditioned upon staff and engineering review letters dated May 17, 2021. Seconded by Vice-Chairman Gill. The motion passed unanimously.

C. *Resolution #2021-22 – Docket #2062 – Hassen Creek Estates – Subdivision Plan – Waiver Requests*

Mr. Sostarecz stated that the applicant has requested to withdraw this item from the agenda.

D. *Resolution #2021-23 – Docket #2084 – Lehigh Hills Lot 5 Phase 2, 1670 Route 100 – Waiver Requests*

Mr. Martocci stated that the applicant has requested waivers associated with cut and fill slopes at a 2:1 grade instead of the required 3:1 grade. The subject development was a result of litigation which resulted in a settlement agreement a few years ago, and much discussion was had between the Board, Township Staff, Township Consultants, and the applicant's representatives regarding the impact of the waivers on the development and its effect on the settlement agreement. No action was taken and all involved agreed to look into the matter further and bring it back to a future meeting.

E. *Resolution #2021-24 – Docket #2265 – Shoppes at Trexler Plaza – Land Development Plan*

Mr. Alban stated that this project received Final Approval by the Board on February 6, 2020 and the plan has since been revised to depict a paved area along the rear of the building. It also proposes a 14' wide driveway access to the existing private driveway to the east of the property. There had been a concern regarding fire apparatus having access to the building and the tight

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turning radii; however, the applicant has committed to installing a sprinkler system throughout the building. Fire Director Christ stated that was a good compromise and he was satisfied.

Motion by Chairman Brunell to approve Resolution #2021-24, granting Revised Final Approval of Docket #2265, Shoppes at Trexler Plaza Land Development Plan, conditioned upon staff and engineering review letters dated November 16, 2020, and the granting of waivers to permit the driveway/parking area to be situated within the required 10-foot-wide drainage and utility easement, and a driveway radii of less than 20 feet. Seconded by Supervisor Rader. The motion passed unanimously.

F. Resolution #2021-25 – Authorizing Submission of PennDOT ARLE Grant for Grange Road Roundabout

Mr. Alban stated that a grant is available through the PennDOT ARLE Grant Program which would assist in paying for a large portion of a proposed roundabout at the entrance to Grange Park on Grange Road. The installation of a roundabout at this intersection will improve safety, reduce conflict points, and improve operational performance caused by events at the park and to better accommodate the future UMT Community Center traffic flows. The total project cost is estimated to be \$210,000 and the grant does not have a required match; however, he recommends a 15% match of \$31,500 to show the Township's commitment to the project.

Motion by Supervisor Rader to approve Resolution #2021-25, authorizing the submission of a PennDOT ARLE Grant for the Grange Road Roundabout, and committing to a 15% match. Seconded by Vice-Chairman Gill. The motion passed unanimously.

VII. MOTIONS

A. Authorizing Execution of Agreement with Topp Business Solutions for Multi-Function Devices

Mr. Sostarecz stated that the township currently utilizes eight multi-function devices across all departments which are contracted through Davis Business Machines. These devices are split among six separate lease agreements which have varying termination dates. A competing quote from Topp Business Solutions was obtained and switching all devices with new units on one agreement through Topp would result in an annual cost savings of at least \$12,000 – this includes monthly lease fees as well as maintenance fees.

Motion by Supervisor Rader to authorize the execution of a 60-month agreement with Topp Business Solutions for eight Canon multi-function devices at a cost of \$1,200 per month plus maintenance charges. Seconded by Vice-Chairman Gill. The motion passed unanimously.

B. Awarding of Bid – 2021 LVCPC Traffic Line Striping Bid

Mr. Faust stated that the Township participates with the Lehigh Valley Cooperative Purchasing Council (LVCPC) to contract out line striping work. The LVCPC published a bid and there was one bidder – A-1 Traffic Control Products of Douglassville, PA. Upper Macungie's portion of the contract is \$43,362.00.

Motion by Supervisor Rader to award the 2021 LVCPC Traffic Line Striping Bid to A-1 Traffic Control Products in the amount of \$43,362.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.

C. Awarding of Bid – 2021 High-Performance Chip Seal/Quick Set Fog Seal Project

Mr. Alban stated that the Township awards bids yearly for roadway resurfacing projects inking the High-Performance Chip Seal/Quick Set Fog Seal Project. The project was placed on PennBid and the Township received one bid from Asphalt Maintenance Solutions.

Motion by Chairman Brunell to award the 2021 High-Performance Chip Seal/Quick Set Fog Seal Project to Asphalt Maintenance Solutions in the amount of \$199,149.630. Seconded by Vice-Chairman Gill. The motion passed unanimously.

D. Rejection of Bid – Mill Road Right Turn Lane Improvements Project

Mr. Faust stated that the Township received one bid for the project in the amount of \$279,870 which exceeded the 2021 budget amount of \$200,000. It is his recommendation to reject the bid and to re-bid the project after the scope of work is updated with Public Works input on what items they can accomplish.

Motion by Chairman Brunell to reject all bids for the 2021 Mill Road Right Turn Lane Improvements Project, and to re-bid the project with an updated scope with Public Works input. Seconded by Supervisor Rader. The motion passed unanimously.

E. Authorizing Waiver of Permit Fees for Good Will Fire Company No. 1 of Trexlertown Improvements

Mr. Ibach stated that the Company is a 501c(3) that provides fire protection for Upper Macungie Township and that they have requested to have the fees for their permit applications waived. It would be greatly appreciated as it would help them reduce their expenses.

Motion by Vice-Chairman Gill to waive the zoning and building permit fees assessed to the Good Will Fire Company No 1 of Trexlertown for their project to install a storage building and site improvements. Seconded by Supervisor Rader. The motion passed unanimously.

F. Authorizing Sale of I-78 Bore Casing to Lehigh County Authority

Mr. Ibach stated that the bore casing has a negative pitch for sewer flow and would not allow the Township to install a larger pipe. For this reason, it was abandoned and replaced with a new boring further east. Staff does not see any future need for this casing and therefore it will need to be officially abandoned under the conditions of the PennDOT HOP which would cost approximately \$30,000. However, the Lehigh County Authority could utilize the casing for water system improvements and flow to pressurize the northern part of their system. They have offered to purchase the casing for \$40,000.

Motion by Vice-Chairman Gill to authorize an agreement of sale with Lehigh County Authority for the purchase of Upper Macungie Township's abandoned I-78 crossing casing in the amount of \$40,000 pending Township Solicitor and Staff satisfaction of the agreement. Seconded by Supervisor Rader. The motion passed unanimously.

G. Authorizing Special Event Application – Boots & Saddle Riding Club

Ms. Matula stated that the Boots & Saddle Riding club is looking to hold their annual fundraiser at Lone Lane Park on June 6th from 1 – 6pm. The event needs BOS approval due to request to have BYOB alcohol in the park. They will have private security present as well as utilize a wristband system to be sure that only persons 21 years and older consume alcohol.

Motion by Supervisor Rader to authorize the Boots & Saddle Riding Club Fundraiser event at Lone Lane Park on June 6, 2021. Seconded by Vice-Chairman Gill. The motion passed unanimously.

H. Authorizing New Recreation Program – Plank Pilates & Nutrition Class

Ms. Matula Marlana Betesh, a certified pilates instructor, would like to partner with the Township and conduct Plank Pilates classes at Grange or Lone Lane Park beginning in late June.

Motion by Vice-Chairman Gill to authorize the new UMT Recreation Program, "Plank Pilates & Nutrition Class" instructed by Plank Pilates. Seconded by Supervisor Rader. The motion passed unanimously.

I. Authorizing Request for Special Fire Police

Mr. Christ stated that the Borough of Macungie has requested the use of our Special Fire Police for three of their annual car shows to be held in the Borough: the Antique Truck Show in June,

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Das Awkscht Fescht Car Show in August, and Wheels of Time which is also in August. Our Fire Police have been providing assistance to these events for many years.

Motion by Chairman Brunell to approve Special Fire Police to provide assistance to the Borough of Macungie for the following events: Antique Truck Show on June 18th & 19th; Das Awkscht Fescht on August 6th, 7th, & 8th; Wheels of Time Car Show on August 27th, 28th, & 29th. Seconded by Vice-Chairman Gill. The motion passed unanimously.

VIII. BOARD AND STAFF REPORTS

A. *Treasurer*

The total bills from all funds for May 2021 was \$1,942,494.36.

Motion by Chairman Brunell to pay the bills for May 2021 in the amount of \$1,942,494.36.

Seconded by Vice-Chairman Gill. The motion passed unanimously.

Mr. Koller stated that staff has been working with Whitetail Disposal, our trash hauler, to arrange for a Household Hazardous Waste event to be held at Grange Road Park on August 21st. He is requesting Board approval to have the agreements be reviewed and signed to engage Whitetail for the event. There was \$60,000 budgeted this year to hold the event.

Motion by Chairman Brunell to authorize the Township enter into an agreement with Whitetail Disposal to hold a Household Hazardous Waste event pending Township Staff and Solicitor approval, at a cost not to exceed \$60,000. Seconded by Vice-Chairman Gill. The motion passed unanimously.

B. *Recreation Board*

Ms. Matula stated that 593 splash park memberships have been processed during the month and the park has opened for the season. Further details appear in the May Recreation Department Report.

C. *Community Development*

Mr. Martocci stated that the Zoning Hearing Board will be hearing the Special Exception application of RDM Group for a proposed warehouse at 1001 Glenlivet Drive – staff requests that given the facts of the case, the Solicitor be sent on behalf of the Township to oppose the application.

Motion by Supervisor Rader to send the Township Solicitor to the Zoning Hearing Board hearing for RDM Group for a proposed warehouse at 1001 Glenlivet Drive. Seconded by Vice-Chairman Gill. The motion passed unanimously.

The department continues to be very busy with fourteen plans in development currently being tracked through various stages of development. Additionally, the department issued 180 permits in May, 96 of which were building permits, and an additional 14 permits for new structures. Further details appear in the May Community Development Report.

D. *Engineer*

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

E. *Police*

Lt. Reader stated that Officer Kyle Wehr finished his training and is on full patrol, and that National Night Out will once again be happening after being canceled last year due to the pandemic. It will be held on August 3rd from 5-8pm at Lone Lane Park. Additional details appear in the May Police Department Report. Township Resident Glenn Rader wished to express his appreciation to all of our law enforcement and fire personnel for their service.

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| 913 | Total Calls for Service |
| 22 | Reportable MVAs |
| 45 | Non-Reportable MVAs |
| 8 | Private Property MVAs |
| 20 | Criminal Arrest (Misdemeanor/Felony) |
| 6 | Non-Traffic Citations (Summary) |
| 200 | Traffic Citations |
| 18 | Parking Tickets |
| 72 | Written Warnings |
| 95 | False Alarms |
| 0 | Arsons |
| 4 | Assaults |
| 1 | Burglaries |
| 14 | Disturbing the Peace |
| 3 | Drug/Alcohol Violations |
| 7 | DUI Offenses |
| 14 | Fraud Crimes |
| 0 | Homicides |
| 0 | Motor Vehicle Thefts |
| 0 | Robberies |
| 1 | Sex Offenses |
| 6 | Thefts |
| 1 | Vandalism/Criminal Mischiefs |
| 3 | Vehicle Break-In/Thefts |
| 0 | Weapon Offenses |

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F. Fire/EMS

Mr. Christ stated the digital inspection form is active and the Fire Inspectors have provided positive input about it. The DCED apparatus study is complete and has been distributed to the Board of Supervisors and Fire Chiefs for review. Finally, the Junior Services Academy is going to be held from July 19th to the 23rd. Further details appear in the May Bureau of Fire Report.

G. Public Works

Mr. Faust stated that he would like to purchase a used roller which the department would find very useful sporadically throughout the year. The Township could rent one, but it would sit idle for weeks at a time until it was needed again. He feels it is more cost effective to purchase a used one, and it would require a bid

Motion by Chairman Brunell to authorize a bid be advertised to purchase an used roller.

Seconded by Supervisor Rader. The motion passed unanimously.

Further details appear in the May Public Works Report.

H. Secretary

Mr. Sostarecz stated that one Executive Session was held by the Board of Supervisors on Thursday, June 3, 2021 at 6:00 p.m., the topic was legal matters.

I. Manager

Manager Ibach stated that a D&L Grant for \$3,700 has been awarded to the Township for a self-guided walking tour of the Stormwater BMP's at Grange Park. Additionally, that the American Rescue Plan funding guidance has arrived and the Township will be received two allotments of money – the first this summer, and the second next summer, each being approximately \$1.3

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million. There are some documents to sign and would ask that a motion be made to authorize him to sign those agreements.

Motion by Chairman Brunell to authorize the Township Manager to sign any agreements that are needed to receive the American Rescue Plan funding. Seconded by Vice-Chairman Gill. The motion passed unanimously.

J. Solicitor

Attorney Schantz stated that the Holaska Appeal from Parkland Fields was remanded back to the Township by Lehigh County Court.

K. Board

i. Chairman Brunell

Nothing to add.

ii. Vice-Chairman Gill

Stated that the landscaping around the new Keurig-Dr. Pepper facility doesn't look good at all. Manager Ibach stated that he has also seen that and is in contact with representatives at the facility.

iii. Supervisor Rader

Nothing to add.

IX. PUBLIC COMMENT/COURTESY OF THE FLOOR

Lengthy discussion was had regarding the Lehigh Hills Lot 5 Phase 2 plan as a continuation of the discussion during the earlier agenda item regarding the same topic; in addition, a question was raised by Mr. Paul McNemar regarding the right-in/right-out of Street H as opposed to a through-street. The Board, Township Staff, and Consultants were in agreement that research into the status of the plan was needed, and that a letter be sent to the developer in order to provide them clear guidance.

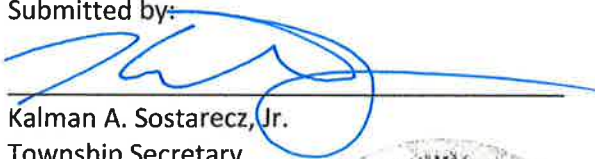
Motion by Chairman Brunell for staff and consults to draft and send a letter to the developers of Lehigh Hills Lot 5 Phase 2. Seconded by Vice-Chairman Gill. The motion passed unanimously.

Mr. Sunny Ghai requested that future meetings be live-streamed so those at home could watch.

X. ADJOURNMENT

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 9:53 p.m. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Submitted by:


Kalman A. Sostarecz, Jr.
Township Secretary

