

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 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; 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. ADDITIONS/DELETIONS TO THE AGENDA

None

III. MINUTES

A. *October 7th, 12th, 19th, and 27th, 2021*

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

Motion by Chairman Brunell to waive the reading of the minutes of October 7th, 12th, 19th, and 27th, 2021 meetings and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.

IV. PRESENTATIONS

A. *2022 Budget Presentation*

Finance Director Koller provided a brief overview of the 2022 Budget which proposes no tax increases, \$39,691,832 in revenue, and \$39,430,708 in expenses. He stated that the budget needs to be advertised for public display and would then be voted on at the December meeting for final adoption.

Motion by Chairman Brunell to authorize the advertisement of the 2022 Proposed Budget as presented. Seconded by Supervisor Rader. The motion passed unanimously.

B. *Classification of UMT Roadways*

Mr. Alban gave an overview of a study prepared by Keystone Consulting Engineers regarding the classification of UMT roadways for federal aid eligibility. The next steps are for the results to be reviewed by the Lehigh Valley Planning Commission, PennDOT, and ultimately the Federal Highway Administration.

V. DISCUSSIONS & UPDATES

A. *Nursery and Lime Street Traffic*

Supervisor Rader stated that the area of Nursery and Lime Street needs to be studied for improvements as speeding is a problem, especially for those using it as a shortcut. Resident Hunter Snelling stated that traffic is very dangerous on Nursery Street and would be in favor of a cul de sac; Doug Gerner stated that it should be looked into whether closing off nursery street through traffic would work best; Chris Giemasa stated that sidewalks would help a lot; Chuck [unclear] stated that whatever solution is used, the fire company should receive a second driveway.

Motion by Supervisor Rader to develop a survey with potential feasible options to address traffic issues on Nursery and Lime Street and send it to residents of the surrounding area. Seconded by Chairman Brunell. The motion passed unanimously.

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VI. ORDINANCES

A. Ordinance #2021-12 – Amendments to Chapter 27 – Zoning

Mr. Martocci stated that the Board of Supervisors conducted a Public Hearing earlier in the evening to hearing testimony and comment regarding this proposed ordinance which would update the Zoning Ordinance, specifically Section 202 – Terms Defined; Section 603 – Design Standards for Off-Street Parking; Section 703 – Miscellaneous Signs Not Requiring Permits; Section 704 – Freestanding and Wall Signs, Wall and Window Signs; Section 709 – Prohibited Signs; and Section 711 – Measurement and Major Types of Signs. At the hearing, no residents offered any testimony or comment opposed to the ordinance.

Motion by Chairman Brunell to adopt Ordinance #2021-12, amending Chapter 27, Zoning, of the Township of Upper Macungie Code of Ordinances. Seconded by Supervisor Rader. The motion passed unanimously.

B. Ordinance #2021-13 – Changing the Name of Reppert Lane to Reppert Court

Mr. Sostarecz stated that Reppert Lane was bisected by the Rt. 222 Bypass many years ago, which left two portions of the road inaccessible from each other. It is recommended that the portion on the south side of the bypass be renamed to Reppert Court to assist Police, Fire, and EMS with emergency responses to that road on which sits only two existing houses; one person owns both homes and they were sent notification of the proposed name change – no response was received, and they were not in attendance at the meeting.

Motion by Vice-Chairman Gill to adopt Ordinance #2021-13, changing the name of Reppert Lane to Reppert Court. Seconded by Supervisor Rader. The motion passed unanimously.

VII. RESOLUTIONS

A. Resolution #2021-42 – Docket #2304 – The Towns at Schaefer Run, Weilers Rd/Hamilton Blvd/Schaefer Run Rd – Preliminary Land Development Plan

Mr. Martocci stated that the applicant proposes the construction of a total of 128 townhouse units within two phases on parcels located near the intersection of the Rt. 222 Bypass and Weilers and Schaefer Run Rods in Breinigsville. At their meeting of September 15, 2021, the UMT Planning Commission reviewed and made recommendations on the waivers and on granting Preliminary Approval of the plan. He noted that this is a preliminary plan, and the applicant will return with a final plan at a future meeting.

Motion by Chairman Brunell to approve Resolution #2021-42 for Docket #2304 – The Towns at Schaefer Run, granting Preliminary Subdivision Plan Approval, and the granting of associated waivers, all conditioned upon the engineering review letter dated October 28, 2021. Seconded by Vice-Chairman Gill. The motion passed unanimously.

B. Resolution #2021-43 – Docket #2304 – The Towns at Schaefer Run – Sewage Facilities Planning Module

Mr. Alban stated that a planning module was prepared for The Towns at Schaefer Run, was reviewed by staff and consultants, and is ready for action.

Motion by Vice-Chairman Gill to approve Resolution #2021-43 amending the Township's Official Sewage Facilities Plan for The Towns at Schaefer Run. Seconded by Supervisor Rader. The motion passed unanimously.

C. Resolution #2021-44 – Docket #2084A – Lehigh Hills Lot 5, Phase II Supplemental, 1670 PA Route 100 – Revised Final Plan

Mr. Martocci stated that previously the UMT Planning Commission recommended waivers related to this plan in which the Board of Supervisors did approve at a previous meeting. The applicant has since revised grading and submitted a revised final plan which was also reviewed by the UMT

Planning Commission at their meeting of October 20, 2021. Although there was much discussion at that meeting, the Planning Commission did not make any recommendations, either in favor of or against the plan. Because the PA Municipalities Planning Code contains timelines, the Board of Supervisors must still act on the plan even though there was no Planning Commission recommendation made. Chairman Brunell asked why there was no recommendation and Mr. Martocci stated that no Commission member made any motions and they moved onto the next agenda item at that meeting. He also stated that Township Staff and Consultants do recommend approval of the plan at this time.

Motion by Chairman Brunell to approve Resolution #2021-44 for Docket #2084A – Lehigh Hills Lot 5, Phase II Supplemental, granting Revised Final Subdivision Plan Approval conditioned on the engineering review letter dated October 18, 2021. Seconded by Vice-Chairman Gill. The motion passed unanimously.

D. Resolution #2021-45 – Docket #2062 – Hassen Creek Estates, 2010 Hickory Lane – Subdivision Plan

Mr. Martocci stated that Hassen Creek Estates is a proposed residential subdivision plan which is comprised of three separate tracts of land totaling 119.6 acres and includes the nine single-family detached residential dwellings. Previously, the Planning Commission recommended waivers in which the Board approved related to this plan. The plan proposes partial improvements of Hickory Lane and Becker Street, and these improvements could require a NPDES permit; the applicant has requested direction from the LCCD as well as from the PA DEP. The applicant submitted an extension to the Township for this plan, but it was not received before the Planning Commission's most recent meeting; therefore, they recommended denial of the project based on the existing deficiencies. However, since the extension has been received, Township Staff and Consultants recommended granting the extension to allow the applicant to hear back from the outside agencies and address any outstanding comments.

Motion by Supervisor Rader to grant an extension to Docket #2062 – Hassen Creek Estates, to February 28, 2022, to allow DEP to rule on necessary permitting related to improvement of Hickory Lane and Becker Street. Seconded by Chairman Brunell. The motion passed unanimously.

E. Resolution #2021-46 – Streaming Board of Supervisors Public Meetings

Mr. Sostarecz stated this resolution would set the guidelines by which future Board of Supervisor's meeting would be streamed over the internet. Chairman Brunell stated that because the video camera equipment is still on back order and hasn't been installed, he feels this should be reviewed further and brought back to the next meeting.

Motion by Chairman Brunell to table this resolution until the next meeting. Seconded by Vice-Chairman Gill. The motion passed unanimously.

VIII. MOTIONS

A. Authorizing Renewal of Township Insurance Policies

Mr. Koller stated that the Township's insurance broker, Brown & Brown, has provided a quote to renew the various insurance policies needed including property, crime, general liability, auto, umbrella, public officials, and others. Insurance rates have been increasing over the past year and the total for all policies is \$13,257 more than last year. He stated that Brown & Brown is working hard to keep the premiums low while maintaining sufficient coverage.

Motion by Vice-Chairman Gill to authorize the acceptance of the package policy proposal from Brown & Brown of the Lehigh Valley to insure the Township for the period from November 1, 2021 to November 1, 2022 at a cost not to exceed \$162,642.00. Seconded by Supervisor Rader. The motion passed unanimously.

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B. Awarding of Contract for Document Scanning Services

Mr. Sostarecz stated that the Township first engaged Scantek in 2019 to begin the process of scanning all archived paper files to PDF; it continued in 2020 and again this year with additional files in Phase 2. A quote was received to complete the scanning of additional files as a Phase 3. The total quote is for \$60,336.75; however, there remains a credit of \$40,500 from the first phase, thus the total requested amount is \$19,836.75.

Motion by Supervisor Rader to award a contract to Scantek Infomanagement Solutions of Willow Grove, PA a contract to scan archived documents of Upper Macungie Township at a cost of \$19,836.75. Seconded by Vice-Chairman Gill. The motion passed unanimously.

C. Awarding of Contract for Grange Road Park Bathroom Construction

Mr. Faust stated that Grange Road Park has four existing bathroom facilities which is not sufficient for the usage that the park sees. This proposed facility will be near the Pickleball Courts. The funds for the construction were included in the 2021 budget. Mr. Sunny Ghai asked why the Township would start this construction now when prices are so high – Mr. Faust stated that they will only be going higher, so it's good to lock in at a lower rate now.

Motion by Chairman Brunell to award a contract to Pioneer Pole Buildings, Inc. for the construction of a bathroom facility at Grange Road Park in the amount of \$137,710.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.

D. Authorizing Expenditure of American Rescue Plan Funds

Mr. Ibach stated that the Township received American Rescue Plan Act funding earlier this year of over \$1.3 million, and a similar amount will be received next year. One of the permitted uses of the funds is as "revenue replacement" which allows the funds to be spent on anything that usual revenues would be used for. Funds must be spent or accounted for prior to the end of 2024 otherwise it will need to be returned to the federal government. Staff has proposed a list of uses for the funding, and some of that is presented for approval at this time. 1) Reimbursement of Paid Time Off to non-police department employees who were required to utilize the PTO for COVID-related items this year. This will not be a payout of funds, just reimbursement of time. 2) Replacement of the meeting room chairs for both the public and those at the dais. The public chairs will be a hard surface that is easily cleaned, and the dais chairs are very old and in need of replacement. 3) Replacement of police firearms and accessories. The current firearms are about ten years old. 4) Purchase of a police traffic data collector which will assist in doing traffic studies internally. 5) Purchase of a new camera for the Police Investigator. Discussion ensued and the consensus was that the chairs in the meeting room would not be replaced at this time.

Motion by Chairman Brunell to authorize the use of American Rescue Plan funds for the following:

- Reimbursement of Non-Police Department COVID leave.
- Replacement of police handguns, rifles, and accessories from Witmer Public Safety Group at a cost of \$65,000.00.
- Purchase of a Police Traffic Data Collector from Kustom Signals at a cost of \$2,900.00.
- Purchase of a Police Investigator's Camera from Amazon.com at a cost of \$2,800.00.

The motion was seconded by Vice-Chairman Gill and passed unanimously.

E. Authorizing Advertisement of an RFP for Non-Bargaining Unit Pension Plan Administrator

Mr. Koller stated that Township Staff have been preparing to present an Ordinance to the Board at a future meeting to establish a Non-Uniform Defined Benefit Contribution Pension Plan. Prior to doing this the Township must appoint a Plan Administrator to administer the funds. Staff is requesting authorization to advertise an RFP from firms interested in providing this service. The results would be brought back to the Board for action at a future meeting.

Motion by Vice-Chairman Gill to authorize the advertisement of an RFP for a Plan Administrator for the Township's new Non-Uniform Defined Benefit Contribution Plan. Seconded by Chairman Brunell. The motion passed unanimously.

F. Authorizing the Study of a No Parking Area on Tilghman Street

Mr. Martocci stated that the Township has received complaints related to unsafe sight distance conditions related to parking along Tilghman Street both east and westbound from the intersection of Rt. 100 and Windsor Drive. Staff is requesting that a study of the area to determine if any portion should be designated as No Parking. After further discussion, it was determined that since several other sections of Tilghman have parking issues, the study should be expanded to the Township line.

Motion by Chairman Brunell to authorize the Township Staff and Engineer to review possible parking restrictions along Tilghman Street, beginning west of Windsor Drive and extending east to the Township line. Seconded by Supervisor Rader. The motion passed unanimously.

G. Authorizing New Recreation Programs

Ms. Matula stated that Wildlands Conservancy ran several successful week-long programs this past year and has proposed adding several new one-day programs for the spring, summer, and fall of 2022 in Township parks.

Motion by Supervisor Rader to authorize a partnership with The Wildlands Conservancy for various one-day nature programs, including: Animal Tales, Pioneers of Nature, Day Hike, Animal Yoga, and Earth Day Hike during 2022. Seconded by Vice-Chairman Gill. The motion passed unanimously.

H. Authorizing Request for Special Fire Police Assistance

Mr. Christ stated that Faith Church on Hamilton Boulevard in Lower Macungie Township has requested special fire police assistance for their annual tree lighting ceremony on December 3rd at 5:00 p.m. The Township has provided this service in the past.

Motion by Chairman Brunell to authorize Special Fire Police assistance for traffic control at Faith Church in Lower Macungie Township for their annual tree lighting ceremony on December 3, 2021 from 5:00 p.m. to 8:30 p.m. Seconded by Supervisor Rader. The motion passed unanimously.

IX. BOARD AND STAFF REPORTS

A. Treasurer

The total bills from all funds for October 2021 was \$2,663,682.61. Further details appear in the October Treasurer's Report.

Motion by Chairman Brunell to pay the bills for October 2021 in the amount of \$2,663,682.61. Seconded by Vice-Chairman Gill. The motion passed unanimously.

B. Recreation Board

Ms. Matula provided an update on the final number of Splash Park memberships that were sold in 2021 – there were 1,495 memberships which resulted in \$22,715 in revenue. Further details appear in the October Recreation Department Report.

C. Community Development

Mr. Martocci discussed the Planning Commission and Zoning Hearing Board agendas which occurred in October, and those planned for November coming up. He stated that there are currently twelve plans being tracked through various stages of approval either before the Planning

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Commission or Board of Supervisors. Additionally, the department issued 120 permits in October, 85 of which were building permits, and an additional 5 permits for new structures. Further details appear in the October Community Development Report.

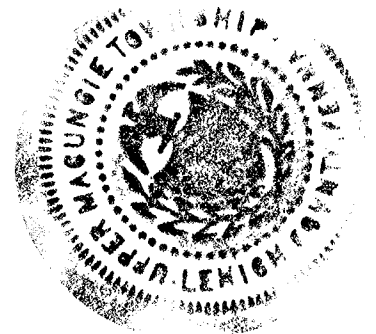
D. Engineer

Mr. Alban provided updates on the Rt. 100 Traffic Adaptive Signals and Rt. 100 Betterment project. Further details appear in the October Engineer's Report.

E. Police

Lt. Nickischer stated that "No-Shave November" has begun and to check the department's Facebook Page for details on how to donate. This year's recipient of the funds raised will go toward the Pediatric Cancer Foundation of the Lehigh Valley Family Assistance Fund through Lehigh Valley Hospital. In addition, the department will once again be accepting new, unwrapped toys for the United States Marine Corps Toys for Tots campaign; the toy bin is located in their main lobby and is accessible 24 hours a day. Additional details appear in the October Police Department Report.

977	Total Calls for Service
23	Reportable MVAs
53	Non-Reportable MVAs
11	Private Property MVAs
9	Criminal Arrest (Misdemeanor/Felony)
11	Non-Traffic Citations (Summary)
238	Traffic Citations
12	Parking Tickets
28	Written Warnings
99	False Alarms
0	Arsons
0	Assaults
1	Burglaries
7	Disturbing the Peace
2	Drug/Alcohol Violations
5	DUI Offenses
15	Fraud Crimes
0	Homicides
0	Motor Vehicle Thefts
0	Robberies
1	Sex Offenses
13	Thefts
1	Vandalism/Criminal Mischiefs
1	Vehicle Break-In/Thefts
0	Weapon Offenses



F. Fire/EMS

Mr. Christ stated that the final cutover from Firehouse to Emergency Reporting occurred on November 1st and all departments are now using the new system to enter incidents. Also, that the Bureau of Fire visited three daycares for their fire prevention program and sent a fire prevention video to the elementary schools for viewing in the classroom and dropped off activity books. The full program is not permitted this year due to COVID restrictions. Further details appear in the October Bureau of Fire Report.

G. Public Works

Mr. Faust stated that leaf collection has begun. Further details appear in the October Public Works Department Report.

H. Secretary

Mr. Sostarecz stated that the Board of Supervisors held an Executive Session on October 4, 2021 at 5:45 p.m. and the subject was litigation. Additionally, he reminded everyone that a Public Hearing has been scheduled for Thursday, December 2, 2021 at 6:30 p.m. regarding a proposed ordinance to update the Subdivision and Land Development Ordinance, and that the Township's Reorganization meeting will be held on Monday, January 3, 2022 at 6:30 p.m., which will be followed by the January General Business meeting.

I. Manager

Manager Ibach stated that a request was received from a consultant representing Mosser Nursing Home for a donation of approximately \$250,000 to be given to them by the Township utilizing American Rescue Plan Funds. Chairman Brunell stated that it was his feeling that the funds are intended to be utilized for the benefit of all residents, and not such a large donation to one entity. Manager Ibach stated that Lehigh County does offer grants to businesses utilizing their portion of the funding and will suggest that Mosser should inquire with them about applying.

Motion by Chairman Brunell to add the Mosser Nursing Home donation request to the agenda. Seconded by Vice-Chairman Gill. The motion passed unanimously.

Motion by Chairman Brunell to deny the donation request of Mosser Nursing Home. Seconded by Vice-Chairman Gill. The motion passed unanimously.

J. Solicitor

Nothing to add.

K. Board

i. Chairman Brunell

Stated that with Mr. Sunny Ghai being elected to serve on the Board beginning in the next year, he requests that staff begin working with him to transition into the role.

ii. Vice-Chairman Gill

Stated that there has been a vehicle in the Dunkin Donuts parking lot for the past six months that looks abandoned and would like the police to check on it. Lt. Nickischer said he will have it checked. Vice-Chairman Gill also stated that Memorial Road was paved and it looks good.

iii. Supervisor Rader

Nothing to add.

X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Ms. Donna Gregory asked whether the second entrance to Grange Park is necessary as it will create a dangerous intersection. Mr. Faust stated that a second entrance was always planned for the park in that location. Mr. Alban stated that the intersection was fully engineered, and it will be safe.

Ms. Denise Kelly stated that there is speeding on Pennfield Place, and she would like the police department to look into it. There was a question as to whether that was a private roadway owned by a HOA – this will be looked into as well.

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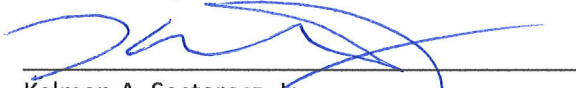
Mr. Jim Caffrey asked if speed enforcement cameras are an option as he knows they are used elsewhere. Lt. Nickischer stated that these cameras are only currently used by PennDOT in work zones. He also noted that Pennsylvania is the only state that radar is still not permitted to be used by local police.

Mr. Hunter Snelling asked whether the speed enforcement signs are being moved around the township as intended – Lt. Nickischer stated that he believes they are and will confirm that with Lt. Reader. He also would speak with Mr. Snelling following the meeting to hear his specific concerns.

XI. ADJOURNMENT

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 9:11 p.m. Seconded by Supervisor Rader. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.
Township Secretary



