

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 2, 2022 at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were James M. Brunell, Chairman; Sunny Ghai, Vice-Chairman; Kathy A. Rader, Supervisor; Robert R. Ibach, Jr., Township Manager; Kalman A. Sostarecz, Jr., Township Secretary; Andrew V. Schantz, Esq., Solicitor; Michael Sitoski, Chief of Police, UMTPD; Peter Christ, Director, Bureau of Fire; Daren Martocci, Director of Community Development; 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. *May 5, 2022*

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

Motion by Chairman Brunell to waive the reading of the minutes of the May 5, 2022 meeting and approve them as amended. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

IV. PRESENTATIONS

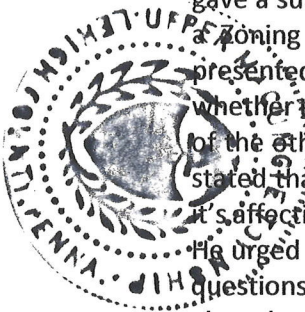
A. *Retirement of K-9 Bico*

Chief Sitoski introduced retired K-9 Officer Bico, and his handler Sergeant Gardner, and listed numerous arrests that Bico was responsible for. The team of Sergeant Gardner and K-9 Bico cleared 137 arrests and 149 DUI arrests. He also listed the numerous community events that they took part in including at schools, National Night Out, and Barktoberfest. Sergeant Gardner spoke regarding his partner and stated that he would be taking care of Bico during his retirement at home with his family.

V. DISCUSSIONS & UPDATES

A. *1122 Covered Bridge Crossing*

Solicitor Schantz stated that at the previous Board of Supervisors meeting the Board took action to call the easement related to a building being constructed at 1122 Covered Bridge Crossing. He gave a summary of the case including the steps the owners of the property have taken including a Zoning Hearing Board appeal. The applicant's attorney, Kate Durso, stated that she had presented additional information to the Board after they had taken the action and questioned whether the Board would consider reversing their decision. Attorney Ron Corkery spoke on behalf of the other homeowners in the neighborhood of which many were present at the meeting. He stated that the owners of 1122 Covered Bridge far exceeded what was permissible to build and it affecting he surrounding neighbors including basements being flooded and other water issues. He urged the Board to not change their decision. Representative Gary Day asked the Board some questions regarding the case and stated that he doesn't agree the way the Township has gone about handling the issue. The Board took no action. Solicitor Schantz stated that the Board action from the previous meeting stands. Chairman Brunell read back the motion from the minutes of the previous meeting.



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VI. ORDINANCES

A. Ordinance #2022-09 – Hickory Lane Speed Limit

Mr. Martocci stated that the Township received complaints from residents regarding speeding along the Hickory Lane corridor. A traffic study was conducted which concluded that a 35 MPH speed limit is warranted.

Motion by Supervisor Rader to adopt Ordinance #2022-09, establishing a 35 MPH speed limit on Hickory Lane between Hilltop Road and Chapmans Road. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

VII. RESOLUTIONS

A. Resolution #2022-18 – Docket #2339 – Air Products Redevelopment, 7201 Hamilton Boulevard – Preliminary Land Development Plan – Waiver and Deferral Requests

Mr. Martocci gave an overview of the land development plan as well as the Special Exception process which will be heard by the Zoning Hearing Board. He stated that the Planning Commission heard the case at their May meeting and recommended that the Board approve the waiver and deferrals. In order for the ZHB to hear the case the plan must comply with the SALDO and the applicant has requested a waiver and two deferrals. Attorney Blake Marles, representing the applicant, and Patrick Garay of Air Products provided a brief presentation regarding the project. Mr. Ben Dobil, a resident of Cetronia Road directly across from the project site, spoke in opposition to the project.

Motion by Chairman Brunell to adopt Resolution #2022-18, granting a waiver of Section 22-704.3(B)(1) and granting deferrals of Section 22-704.9.C; Section 22-704.1(H); & Section 22-704.2(A), as outlined in the Summary of Waiver & Deferrals letter, prepared by John Toner, Planning & Zoning Specialist, dated May 20, 2022. Seconded by Supervisor Rader. The motion passed unanimously.

B. Resolution #2022-19 – Docket #2337 – Sam Adams Parking Lot Addition – 7880 Penn Drive – Preliminary/Final Land Development Plan

Mr. Martocci stated that this project is proposing to construct a new 116-space employee parking lot, a new 80-space tractor trailer lot, and pave an existing stone lot for additional trailer storage at the existing site. The proposed plan is located within the Township's LI – Light Industrial Zoning District. At their meeting of April 20, 2022, the Upper Macungie Township Planning Commission reviewed and made recommendations on waivers, deferrals, and Preliminary/Final Approval of the plan.

Motion by Supervisor Rader to adopt Resolution #2022-19, granting Preliminary/Final Land Development Plan approval to Docket #2337, Sam Adams Parking Lot Expansion, the granting of waivers #1 through #8 and #10, and granting deferral #9, all conditioned on the Township Engineer's review letter dated May 24, 2022. Seconded by Chairman Brunell. The motion passed unanimously.

C. Resolution #2022-20 – Docket #2332 – Subdivision of Patrick Steward, 145 Adams Road – Preliminary/Final Land Development Plan

Mr. Martocci stated that this project proposes to subdivide a two-acre parcel from the parent 56.02-acre tract located at 145 Adams Road. The newly created lot will be serviced by on-lot water and on-lot sewer systems. The proposed plan is located within the Township's R1-Rural Residential Zoning District. The plan will result in one new single-family detached dwelling unit. At their meeting of March 16, 2022, the UMT Planning Commission recommended that the Board approve the waivers, deferrals, and for final approval of the plan.

Motion by Supervisor Rader to adopt Resolution #2022-20, granting Preliminary/Final Land Development Plan approval to Docket #2332, Subdivision of Patrick Steward, the granting

of waivers #1 through #5 and deferrals #2 – 9, and denying deferral #1 related to the preparation of a Woodlands Preservation Plan, all conditioned on the Township Engineer's review letter dated May 25, 2022. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

D. Resolution #2022-21 – Docket #2316 – Fallbrooke Residential Subdivision, 9610 Schantz Rd & 410 Twin Ponds Road Preliminary Land Development Plan

Mr. Martocci stated that this project is proposed at 9160 Schantz Rd and 410 Twin Ponds Rd, bordering the Veterans Memorial Elementary School property on three sides. The proposal is for a 90-lot single family subdivision. The applicant intends to use the Conservation by Design requirements in Part 9 of the Township Zoning Ordinance. At their meeting of March 16, 2022, the UMT Planning Commission reviewed and made recommendations on waivers, deferrals, and Preliminary Approval of the plan. Chairman Brunell asked if the design of this development will prohibit future issues like those that occurred in Parkland Crossing. Vice-Chairman Ghai asked if residents will be able to add any additional impervious coverage such as a shed. Mr. Martocci said the stormwater calculations have been looked at very closely and that the stormwater management features have been designed for maximum impervious coverage, even though the initial design will leave room for additional impervious to be added later.

Motion by Chairman Brunell to adopt Resolution #2022-21, granting Preliminary Land Development Plan approval to Docket #2316, Fallbrooke Residential Subdivision, and granting waivers #1 through 6 and deferrals #1 and #2, all conditioned on the Township Engineer's review letter dated March 14, 2022. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

E. Resolution #2022-22 – Special Act 537 Sewage Facilities Plan for the Trexlertown Area

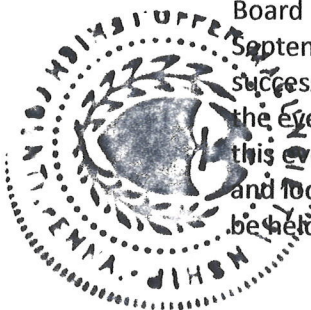
Mr. Ibach stated that this special planning module was made to alleviate the bottleneck in the sanitary sewer system through Trexlertown. The plan is to create a pump station just south of the treatment plant to divert some flow to the Lower Macungie Trunk Line. The plan, per DEP regulations, has been reviewed and received no comments from the LVPC, the UMT Planning Commission, or LMT Planning Commission. There was a public comment period during which no comments were received. Vice-Chairman Ghai asked how the cost of the pump station would be handled. Mr. Ibach stated that Lehigh County Authority would be managing the project and the cost would be split among the Wester Lehigh partners.

Motion by Supervisor Rader to adopt Resolution 2022-22, approving the submission of the Special Act 537 Sewage Facilities Plan for the Trexlertown Area to the Pennsylvania Department of Environmental Protection. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

VIII. MOTIONS

A. Authorizing Special Event Request – ArtsQuest SangriaFest

Ms. Matula stated that the Township has been developing a partnership with ArtsQuest and the Board first approved a SangriaFest in 2019. ArtsQuest has again submitted an application for September 3, 2022. They would be handling the event much like the last version which was a huge success. Curt Mosel, Chief Operating Officer of ArtsQuest, stated that the last time they hosted the event it was a great success and it helps to fulfill their mission of paying artists to perform. For this event they will be working with Vynecrest and Clover Hill, both Upper Macungie businesses, and local restaurants and food vendors. There will also be a small pickleball tournament that will be held in conjunction with the event.



Motion by Supervisor Rader to authorize the special event request of ArtsQuest for SangriaFest on September 3, 2022 at Grange Park. Seconded by Chairman Brunell. The motion passed unanimously.

B. Authorizing Township Solicitor to Appear at the June 8, 2022 Zoning Hearing Board Meeting

Solicitor Schantz stated that the hearing is being held for Air Products and Chemicals to obtain a Special Exception for the redevelopment of their old campus. He recommends that he along with the Keystone Consulting Engineer team to be sent to the Zoning Hearing Board meeting to provide testimony.

Motion by Supervisor Rader to authorize the Township Solicitor and the Keystone Consulting Engineers team, as approved by the Township Manager, to appear as an interested party for the Air Products Redevelopment Special Exception Hearing on June 8, 2022. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

C. Authorizing Extension of Time Limitation for Plan Recording of Various Land Development Plans

Mr. Martocci stated that the Township passed an ordinance requiring the recording of approved plans within 90 days following the approval date. The developers are learning how to comply with this requirement and there are a few projects that need extensions, sometimes due to outside approval delays, such as those from DEP. The Township may wish to relax the 90 day requirement a bit in the future. Vice-Chairman Ghai asked how long some of them may take to record. Mr. Martocci said it varies but some of them are only days away.

Motion by Vice-Chairman Ghai to extend the required time period for recording for an additional 90 days of Docket #2299 – Hidden Meadows Phase 3; Docket #2325 – Green Hills Commerce Center Building Addition; and Docket #2303 – 7312 Windsor Drive, all of which were previously approved by the Board on March 3, 2022. Seconded by Supervisor Rader. The motion passed unanimously.

D. Awarding of RFP for Zoning & SALDO Rewrite

Mr. Ibach stated that the Township has been progressing through various ordinance updates since the implementation of the 2019 Comprehensive Plan. While progress is being made, with a consultant dedicated to the task of updating the Township's Zoning and SALDO, this will allow enough resources to provide a holistic overview of our current ordinances, identify weaknesses and provide recommended solutions. The RFP generated five responses with a range in cost from \$60,000 to \$180,720. The proposals were reviewed and scored with the top two firms, Barry Isett and Michael Baker International, selected for interviews with staff. Staff reviewed the candidates and were unanimous in recommending Michael Baker International – their cost will come in under what was budgeted in the 2022 budget.

Motion by Vice-Chairman Ghai to award RFP #2022-01, Upper Macungie Township Zoning, SALDO, & Official Map Consultant, to Michael Baker International in the amount of \$134,517.00. Seconded by Supervisor Rader. The motion passed unanimously.

E. Authorizing Township Staff & Consultants to Meet with Lowhill Township Regarding Proposed Warehouses & Traffic Studies

Supervisor Rader stated that at a recent LVPC meeting this was a bid discussion – three warehouses are proposed for Lowhill Township, and one of the big items that will affect Upper Macungie Township is the truck traffic. She would like township staff to work with Lowhill staff to express our concerns and discuss related traffic studies.

Motion by Supervisor Rader to authorize Township Staff & Consultants to meet with Lowhill Township personnel regarding proposed warehouses and related traffic studies. Seconded by Chairman Brunell. The motion passed unanimously.

F. Authorizing Agreement with Paychex, Inc. for Payroll Processing Services

Mr. Koller stated that the Township has worked with our current payroll process for over 20 years and it has been purchased several times. The level of service has dropped dramatically and Township staff has researched alternative options – they are recommending to utilize Paychex, Inc. Chairman Brunell asked what the cost comparison would be. Mr. Koller stated that the Township will get a \$5,000 savings compared to the current provider after the first year.

Motion by Vice-Chairman Ghai to authorize the execution of an agreement with Paychex, Inc. for payroll processing services effective July 1, 2022 in the amount of \$17,103.20. Seconded by Chairman Brunell. The motion passed unanimously.

G. Authorizing Purchase of Workstations for Police Department Sergeant and Traffic Offices

Chief Sitoski stated that they are attempting to better utilize the space in the police department to accommodate the additional police officers. They will be combining personnel workspaces and create a Sergeant office and Traffic office. This would free up four desks in the patrol room.

Motion by Supervisor Rader to authorize the purchase of workstations for the police department Sergeant and Traffic offices from Interior Workplace Solutions at a cost of \$9,610.92, utilizing funds from the American Rescue Plan Act. Seconded by Chairman Brunell. The motion passed unanimously.

H. Authorizing Purchase of Information Technology Equipment for UMT Station 56

Mr. Christ stated that staff has met with our new IT Company, ET&T, to address concerns that the fire company had with their IT equipment. They need some serious upgrades and the proposed project would address those concerns as well as concerns with their Fire Chief. Additionally, currently Cetronia Ambulance shares an internet connection with the Fire Department. This upgrade would split the two so they are independent of each other.

Motion by Vice-Chairman Ghai to authorize the purchase of Information Technology equipment for UMT Station 56 from ET&T at a cost of \$13,931.77, utilizing funds from the American Rescue Plan Act. Seconded by Supervisor Rader. The motion passed unanimously.

IX. BOARD AND STAFF REPORTS**A. Treasurer**

The total bills from all funds for May 2022 was \$2,378,409.99. Mr. Koller provided updates on the Household Hazardous Waste Event held at Grange Park in conjunction with North Whitehall Township, as well as the Electronics Recycling and Shredding Events, also at Grange Park. Further details appear in the May Treasurer's Report.

Motion by Chairman Brunell to pay the bills for April 2022 in the amount of \$2,876,945.58. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

B. Recreation Board

Ms. Matula provided updates on the number of attendees at events that just concluded as well as events that are coming up, including the Summer Camps and Movies in the Park. Further details appear in the May Recreation Department Report.

C. Community Development

Mr. Martocci discussed the Planning Commission and Zoning Hearing Board meetings which occurred in May, and those planned for June coming up. He stated that there are currently nine plans being tracked through various stages of approval either before the Planning Commission or Board of Supervisors. Additionally, the department issued 133 permits in April, 79 of which were building permits. Further details appear in the May Community Development Report.

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D. Engineer

Mr. Martocci provided updates on the Rt. 100 Betterment Project, Snowdrift and Hickory Signage Improvements, and Glenlivet Drive West. Mr. Paul McNemar discussed the potential change of Nursery Street to one way. Further details appear in the May Engineer's Report.

E. Police

Chief Sitoski stated that several officers participated in a bicycle ride from Reading to Washington DC for Police Week. He also discussed the current status of their hiring activities. Additional details appear in the May Police Department Report.

1,004	Total Calls for Service
27	Reportable MVAs
44	Non-Reportable MVAs
8	Private Property MVAs
22	Criminal Arrest (Misdemeanor/Felony)
15	Non-Traffic Citations (Summary)
366	Traffic Citations
11	Parking Tickets
92	Written Warnings
99	False Alarms
0	Arsons
1	Assaults
1	Burglaries
23	Disturbing the Peace
7	Drug/Alcohol Violations
8	DUI Offenses
12	Fraud Crimes
0	Homicides
0	Motor Vehicle Thefts
1	Robberies
1	Sex Offenses
7	Thefts
2	Vandalism/Criminal Mischiefs
2	Vehicle Break-In/Thefts
0	Weapon Offenses



F. Fire/EMS

Mr. Christ stated that he met with the PA Director of Homeland Security to discuss UMT critical infrastructure and setting up a tabletop exercise in the future. July 18th begins the Junior Services Academy and there are still slots open. Further details appear in the May Bureau of Fire Report.

G. Public Works

Mr. Faust had nothing to add. Further details appear in the May Public Works Department Report.

H. Secretary

Mr. Sostarecz stated that the Board of Supervisors held an Executive Session on June 2, 2022 at 5:00 p.m. and the topic was litigation. He also listed the upcoming meetings of the Board and the Trail Study Walkability Plan Study.

I. Manager

Mr. Ibach stated that he has been in contact with Lower Macungie Township regarding reciprocal use of their community pool and our splash park for each other's residents. The fee would be a reduced rate.

J. Solicitor

Solicitor Schantz stated the KRE has filed a complaint appealing the denial of the reduction of their Recreation Fee and he has filed a response.

K. Board

i. Chairman Brunell

Nothing to add.

ii. Vice-Chairman Ghai

Nothing to add.

iii. Supervisor Rader

Nothing to add.

X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Mr. Jim Caffrey stated that he supports the Boards decision regarding the 1122 Covered Bridge matter.

XI. ADJOURNMENT

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 9:34 p.m. Seconded by Supervisor Rader. The motion passed unanimously.**

Submitted by:

Kalman A. Sostarecz, Jr.
Township Secretary



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