

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 October 6, 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, Planning & Zoning Consultant; Scott Faust, Public Works Director; and Bruce Koller, Finance Director.

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.

Mr. Sostarecz announced an Executive Session which was held prior to the meeting at 5:45 p.m. and the topic was potential litigation.

Motion by Chairman Brunell to authorize the Township Solicitor, on behalf of the Township to intervene in the Air Products & Chemicals, Inc. vs. the Zoning Hearing Board of the Township of Upper Macungie, and to proceed with the steps necessary to protect the Township's interests. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

II. ADDITIONS/DELETIONS TO THE AGENDA

Mr. Christ stated that he requests the purchase of an aerial apparatus be added to the agenda.

Motion by Chairman Brunell to add under "Discussions and Updates" the purchase of a new aerial fire apparatus. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

Mr. Sostarecz stated he requests a resolution be added to the agenda to update the Township's fee schedule regarding the loading of mulch by the Public Works Department.

Motion by Chairman Brunell to add under "Resolutions" item D to update the Township's Fee Schedule. Seconded by Supervisor Rader. The motion passed unanimously.

III. MINUTES**A. September 1, 2022**

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

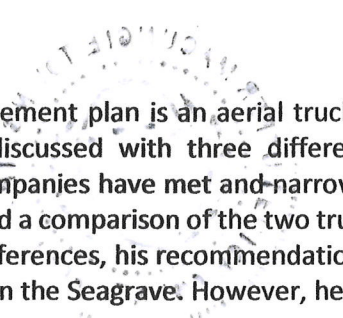
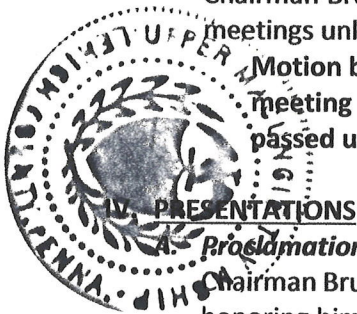
Motion by Chairman Brunell to waive the reading of the minutes of the September 1, 2022 meeting and approve them as presented. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

IV. PRESENTATIONS***Proclamation Honoring Senator Patrick M. Browne***

Chairman Brunell presented a proclamation to Senator Patrick M. Browne, on behalf of the Board, honoring him for his three decades of public service to the residents of Upper Macungie.

V. DISCUSSIONS & UPDATES**A. Purchase of Aerial Fire Apparatus**

Mr. Christ stated that on the schedule of fire apparatus replacement plan is an aerial truck to replace current Unit 831. A committee has reviewed and discussed with three difference manufacturers and provided all information to him. The fire companies have met and narrowed their selection to two which are Seagrave and Pierce. He provided a comparison of the two trucks to the Board, and after his review of all equipment and price differences, his recommendation is to purchase the Pierce which is approximately \$350,000 less than the Seagrave. However, he did



not demo the units, as the fire committee did. UMT Station 56 Fire Chief Matt Sadrovitz outlined the differences between the trucks and stated that the committee's recommendation is the Seagrave unit. Chairman Brunell stated that there were a lot of considerations to be made prior to committing to purchasing either of the units and staff needed more time to complete the due diligence process prior to doing that. The Board had previously scheduled budget workshops coming up in the following weeks where the discussion could be continued in a public meeting. Vice-Chairman Ghai asked if the Pierce were purchased would it be a truck that would work? Chief Sadrovitz stated that yes, the apparatus would be well-served and they could make it work.

Motion by Chairman Brunell to table this topic until one of the budget meetings already scheduled for the following weeks. Seconded by Supervisor Rader. The motion passed unanimously.

VI. ORDINANCES

None

VII. RESOLUTIONS

A. Resolution #2022-33 – Docket #2328 – Millipore Sigma Distribution Center, 7034 Ambassador Drive – Preliminary/Final Land Development Plan

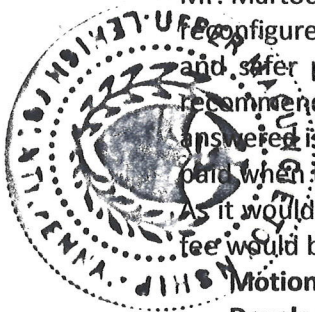
Mr. Martocci stated that the project proposes to construct a 154,000 square foot warehousing/distribution facility at 7034 Ambassador Drive which is situated within the Light Industrial zoning district. On July 13, 2022 the Upper Macungie Township Zoning Hearing Board granted a Special Exception to permit this use, and on September 21, 2022 the UMT Planning Commission made a recommendation to approve the project. Waivers for the project were approved by the Board of Supervisors at their previous meeting. Vice-Chairman Ghai asked if there were any considerations made to sound abatement measures. Attorney Erich Shock, representing the applicant, stated that although it is not required by the ordinance, the applicant has agreed to go to the next level of generator which should be quieter than a generator which would typically be used in the application.

Motion by Supervisor Rader to adopt Resolution #2022-33, granting Preliminary/Final Land Development Plan Approval to Docket #2328 – Millipore Sigma Distribution Center, conditioned upon the Township Engineer's review letter dated September 19, 2022. Seconded by Chairman Brunell. The motion passed unanimously.

B. Resolution #2022-34 – Docket #2330 – Taco Bell Redevelopment, 248 PA Route 100 – Preliminary/Final Land Development Plan

Mr. Martocci stated that the applicant is proposing to demolish and reconstruct the building and reconfigure the parking lot to create more capacity to the drive thru lanes, getting a better layout, and safer pedestrian access. The plan was reviewed by the UMT Planning Commission and recommended for approval, as well as their four requested waivers. One item that has left to be answered is whether a Recreation Fee is required. Staff researched whether a recreation fee was paid when the building was first constructed in the 1980's, but no evidence of that can be found. As it would be the construction of a new retail facility, recreation fees would be applicable. The fee would be \$4,044.40.

Motion by Supervisor Rader to adopt Resolution #2022-34, granting Preliminary/Final Land Development Plan Approval to Docket #2330 – Taco Bell Redevelopment, as well as associated waivers and deferrals as outlined in, and conditioned upon, the Township Engineer's Review Letter dated September 28, 2022. Seconded by Chairman Brunell. The motion passed unanimously.



C. Resolution #2022-35 – Docket #2273 – Route 100 Logistics – Waiver Request

Mr. Martocci stated that the applicant has previously received plan approval and the project is under construction. They have asked for a waiver to allow High Density Polyethylene Pipe (HDPE) instead of Reinforced Concrete Pipe. Since the approval of the project, the Township has amended its ordinance to allow HDPE pipe, so if the project were approved today no waiver would be needed. The UMT Planning Commission did review and recommended approving the waiver.

Motion by Chairman Brunell to adopt Resolution #2022-35, granting approval to a waiver request for Docket #2273 – Route 100 Logistics, conditioned upon the Township Engineer's review letter dated September 19, 2022. Seconded by Supervisor Rader. The motion passed unanimously.

D. Resolution #2022-36 – Fee Schedule Update

Mr. Faust stated that public works has been asked to sell the mulch and compost they produce. He researched the topic and although the Township cannot technically charge for the material, a charge can be made for the service, and he suggests \$10.00 per scoop which is about 2 ½ yards of material. This price is similar to what other municipalities charge.

Motion by Chairman Brunell to adopt Resolution #2022-36 to update the fee schedule to charge \$10.00 per scoop for mulch or compost. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

VIII. MOTIONS

A. Appointing Jazmin Vazquez as Township Secretary and Executive Assistant

Mr. Ibach stated that with the promotion of Kal Sostarecz to the position of Assistant Manager, it left a vacancy for the position of Township Secretary and his Executive Assistant. Fortunately, the township had a very capable person among its ranks already, Jazmin Vazquez, who has been serving as the Township's receptionist for the past year. Staff whole-heartedly recommends her to fill the role of Township Secretary and Executive Assistant.

Motion by Chairman Brunell to appoint Jazmin Vazquez as Township Secretary and Executive Assistant at an annual salary of \$55,000 effective October 10, 2022. Seconded by Supervisor Rader. The motion passed unanimously.

B. Appointing Kalman A. Sostarecz, Jr. as Assistant Township Secretary

Mr. Ibach stated that the previous Assistant Township Secretary was Cindy Yaskowski who retired earlier this year. He recommends that Mr. Sostarecz fill that role in the case the Ms. Vazquez would not be able to attend a meeting or available to sign paperwork.

Motion by Supervisor Rader to appoint Kalman A. Sostarecz, Jr. as Assistant Township Secretary. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

C. Appointing Michael Kukitz as Recreation Manager

Mr. Ibach stated that the township advertised for the position and received two very good candidates; following interviews the staff recommends that Michael Kukitz be appointed to the position.

Motion by Vice-Chairman Ghai to appoint Michael Kukitz as Recreation Manager at an annual salary of \$85,000 effective October 28, 2022. Seconded by Supervisor Rader. The motion passed unanimously.

D. Authorizing the Filling of a Vacant Police Patrolman Position

Chief Sitoski stated that there was a recent resignation within the department which has created a vacancy and he would like permission to begin the process to fill that vacancy.

Motion by Chairman Brunell to authorize the filling of a vacant Police Patrolman position. Seconded by Supervisor Rader. The motion passed unanimously.

E. Authorizing the Filling of a Vacant Public Works Position

Mr. Faust stated that there was a retirement in the Public Works department earlier in the year and he would like authorization to being the process to fill the vacancy.

Motion by Supervisor Rader to authorize the filling of a vacation Public Works position. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

F. Authorizing Memorandum of Understanding with Parkland School District for a School Resource Officer

Chief Sitoski stated that the Parkland School District has authorized the creation of a School Resource Officer to be dedicated to the three elementary schools which are in Upper Macungie Township. The officer would rotate among the three schools and for the time spent in the schools the district would reimburse the Township for his salary.

Motion by Supervisor Rader to authorize the signing of a Memorandum of Understanding with the Parkland School District for a School Resource Officer, which shall be to the satisfaction of the Township Manager and Solicitor. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

G. Authorizing Renewal of Township Insurance Policies

Mr. Koller stated that the township advertised and RFP for insurance services; four requests for the information was received, but only two responses resulted. He recommends that the township continues with Brown & Brown who we have worked with for many years.

Motion by Chairman Brunell to authorize the acceptance of the Package Policy proposal from Argonaut Insurance Company for the period November 1, 2022 through November 1, 2023, and the Cyber Security Policy from Coalition Insurance Solutions for the period September 14, 2022 through September 14, 2023, as proposed by Brown & Brown of the Lehigh Valley, at a cost not to exceed \$190,731. Seconded by Supervisor Rader. The motion passed unanimously.

H. Awarding of Bid for Secondary Winter Road Salt Supplier

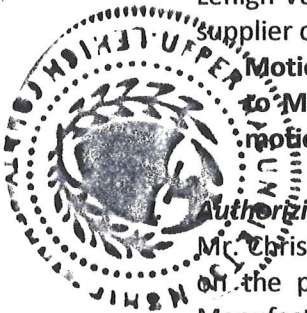
Mr. Faust stated that we utilize the COSTARS salt contract as our main supplier, however, the Lehigh Valley Purchasing Cooperative advertises a bid for a backup supplier in case the primary supplier cannot accommodate us.

Motion by Chairman Brunell to award the bid for the Secondary Winter Road Salt Supplier to Morton Salt, Inc. at a cost of \$83.38 per ton. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

Authorizing Purchase of Fire Apparatus for Fogelsville Volunteer Fire Company

Mr. Christ stated that the next piece of fire apparatus equipment that is slated for replacement on the plan is 811 at Fogelsville Fire Company. They have chosen an engine from Pierce Manufacturing which he feels is bare bones and would be a workhorse for the township. No monies would be due until the third quarter of 2024.

Motion by Chairman Brunell to authorize the purchase of a new Fire Engine for Fogelsville Volunteer Fire Company from Pierce Manufacturing at a cost of \$803,472.00 to replace Unit 811. Seconded by Supervisor Rader. The motion passed unanimously.



J. *Authorizing Purchase of Equipment for Police Patrol Vehicles*

Chief Sitoski stated that due to supply chain issues, the cost to upfit vehicles has increased beyond budgeted amounts, as well as the timeframe that it's taking for items to be received. That, combined with the age of some of the lightbars, he requests American Rescue Plan Act funds to be utilized to upfit the equipment.

Motion by Vice-Chairman Ghai to authorize the purchase of police vehicle up-fitting equipment from KML Emergency Vehicle Service Solutions pending approval of the Township Manager at a cost not to exceed \$20,000, utilizing funding from the American Rescue Plan Act. Seconded by Supervisor Rader. The motion passed unanimously.

IX. BOARD AND STAFF REPORTS

Treasurer

The total bills from all funds for September 2022 was \$2,153,225.33. Further details appear in the September Treasurer's Report.

Motion by Chairman Brunell to pay the bills for September 2022 in the amount of \$2,153,225.33. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

Recreation Department

Ms. Vazquez stated that Barktoberfest would be coming up on Saturday.

Township Secretary

Mr. Sostarecz stated that the Board's Budget Workshops were coming up on Tuesday October 11th and 18th at 5:00 p.m. in the large meeting room.

Township Manager

Mr. Ibach stated that the agreement has been signed which the Board previously authorized with the Boy Scouts in Fogelsville for them to provide community service in lieu of paying taxes. Additionally, that our refuse and recycling hauler has proposed a four-day collection schedule beginning next year. The collection would be Monday thru Thursday, with follow-up and holiday collection on Fridays. The public would be notified several times through physical mail, e-mail, and social media channels. Finally, that a basement inspection program will begin in the Oakland Park area to make sure that sump pumps are not hooked up to the public sanitary sewer system.

X. PUBLIC COMMENT/COURTESY OF THE FLOOR


Mr. Brad Rader, Fogelsville Fire Chief, thanked the Board for approving the budget for the new fire apparatus, as they work hard to provide for the residents of the township but keeping costs in line.

Mr. Charles Deprill thanked the Township Police and Fire Departments for their assistance for the benefit motorcycle ride that he organizes. They raised \$20,000.

XI. ADJOURNMENT

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 8:15 p.m. Seconded by Supervisor Rader. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.
Township Secretary

