

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 December 1, 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., Assistant Township Manager and Director of Community Development; Jazmin Vazquez, Township Secretary; Andrew V. Schantz, Esq., Solicitor; Michael Sitoski, Chief, UMTPD; Peter Christ, Director, Bureau of Fire; Dave Alban, Township Engineer; Scott Faust, Public Works Director; Bruce Koller, Finance Director; and Mike Kukitz, Recreation Manager.

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.

Ms. Vazquez stated that there was an executive session that was held at 5:45 p.m. and the topic was legal matters.

Motion by Chairman Brunell to sign the settlement agreement between Air Products and the Zoning Hearing Board. Seconded by Supervisor Rader. The motion passed unanimously.

II. ADDITIONS/DELETIONS TO THE AGENDA

Mr. Faust stated that he requests that the lining of steel pipe on Crackersport Road be added to the agenda.

Motion by Chairman Brunell to add under “Motions” the relining of steel pipe on Crackersport Road. Seconded by Supervisor Rader. The motion passed unanimously.

III. MINUTES

A. *November 3, 2022*

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 November 3, 2022 meeting and approve them as presented. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

IV. PRESENTATIONS

None

V. DISCUSSIONS & UPDATES

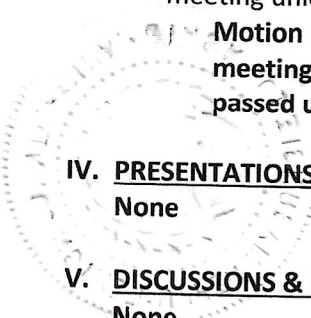
None

VI. ORDINANCES

A. *Ordinance #2022-17- Amendment to Delinquent Tax and Fee Collection Ordinance*

Mr. Sostarecz stated that Portnoff Law is currently handling collections on behalf of the Township. Recently there has been law change requiring a reduction in fees that are due by the residents who are delinquent. The change requires the Township to update its ordinance to reflect the changes in the fees that will need to be collected.

Motion by Supervisor Rader to adopt Ordinance #2022-17, amending Chapter 1, Part 5 – Collection of Delinquent Taxes, Claims, And Charges, of the Township of Upper Macungie Code of Ordinances. Seconded by Vice-Chairman Ghai. The motion passed unanimously.



VII. RESOLUTIONS

A. **Resolution #2022-38 – Tax Rates Effective January 1, 2023**

Mr. Ibach stated that there will be no changes in tax rates other than the removal of the Streetlight Tax. Those expenses will now be covered by the General Fund. This change will reflect a slight reduction in taxes for those who live within 300 feet of a streetlight.

Motion by Vice-Chairman Ghai to adopt Resolution #2022-38, setting the tax rates to be levied in Upper Macungie Township Effective January 1, 2023. Seconded by Supervisor Rader. The motion passed unanimously.

B. **Resolution #2022- 39 – 2023 Budget Adoption**

Mr. Ibach stated that a draft was placed in the lobby and on the Township website for public comment, there was no comment received regarding the proposed 2023 Budget and recommends that the Board approve the 2023 Budget.

Motion by Chairman Brunell to adopt Resolution #2022-39, adopting the Upper Macungie Township 2023 Final Budget. Seconded by Supervisor Rader. The motion passed unanimously.

C. **Resolution #2022-40 – Implementing PA Act 57 of 2022 – Property Tax Penalty Waiver Provisions**

Mr. Sostarecz stated that the State of Pennsylvania passed Act 57 that allows for penalty waiver provisions that will instruct the Township Tax Collector to follow laws. It is a requirement of Legislation that all municipalities across the state adopt a resolution or an ordinance.

Motion by Supervisor Rader to adopt Resolution #2022-40, implementing the property tax penalty waiver provisions of PA Act 57 of 2022. Seconded by Chairman Brunell. The motion passed unanimously.

D. **Resolution #2022-41 – Authorization to Dispose of Township Records**

Ms. Vazquez stated that this is a “housekeeping” item, where the Township Municipal Records Manual contains a schedule and procedure for the disposition of records. Each year the Township passes an updated resolution to authorize the destruction of the oldest documents. However, the Township does maintain all Community Development records permanently in a digital PDF/A format.

Motion by Supervisor Rader to adopt Resolution #2022-41, authorizing the disposal of certain Township records per the PA Municipal Records Manual. Seconded by Chairman Brunell. The motion passed unanimously.

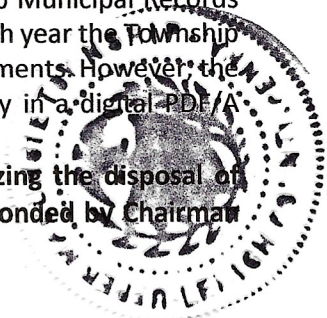
VIII. MOTIONS

A. **Authorizing Advertisement of Reorganization and General Business Meeting Date of Tuesday, January 3, 2023**

Ms. Vazquez stated that the Second Class Township Code requires that the Board of Supervisors organize the first Monday of the year, unless that day is a legal holiday. This year January 2nd is a legal holiday; therefore, staff recommends that the Board schedule their organization meeting on Tuesday, January 3rd at 6:30 p.m. followed by the General Business Meeting at 7:00 p.m.

Motion by Chairman Brunell to authorize the advertisement of the Organization Meeting on Tuesday, January 3, 2023 at 6:30 p.m. and the General Business Meeting at 7:00 p.m. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

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B. Authorizing the Execution of Agreement with Buckno Lisicky and the Advertisement of Intent to Appoint as Independent Auditors for the Fiscal Year 2022

Mr. Koller stated that Buckno Lisicky has agreed to provide the 2022 audit at a cost of \$25,000, this amount was less than the cost for the 2021 audit that was performed by Baker Tilly. Mr. Koller recommends the approval of the auditors as well as the authorization to advertise for the intent to appoint Buckno Lisicky as the auditors for the fiscal year 2022.

Motion by Vice-Chairman Ghai to authorize the execution of an agreement with Buckno Lisicky & Company and the advertisement for the intent to appoint as independent auditors for fiscal year 2022 at a cost of \$25,000.00. Seconded by Supervisor Rader. The motion passed unanimously.

C. Authorizing Agreement with Sanctuary at Haafsville to Provide Stray Animal Services

Chief Sitoski stated that this agreement would be entered into with the Sanctuary at Haafsville to provide services for stray animals. The agreement would allow the Police Department to drop off dogs and cats after hours. The Township has had an agreement with the Sanctuary at Haafsville since 2016, the fee for this year's agreement will be \$5,000. Once the thresholds are met there will be a fee of \$60 per cat and \$135 per dog. Chief Sitoski mentioned that in years past this threshold has not been exceeded.

Motion by Chairman Brunell to authorize an agreement with The Sanctuary at Haafsville to provide stray animal services for 2023 at a cost of \$5,000. Seconded by Supervisor Rader. The motion passed unanimously.

D. Authorizing Payment of Stipends to Volunteer Fire Companies

Mr. Christ stated that every year the Board considers the distribution of funds from the Capital Budget to the three Upper Macungie Township Fire Departments as part of the Retention and Recruitment program. These funds will be distributed to the volunteers based on trainings and emergency responses. The total for the year 2022 is \$124,975.00.

Motion by Chairman Brunell to authorize the payment of stipends to Volunteer Fire Companies for the year 2022 in the following amounts: Fogelsville Fire Station #8 - \$29,148.00; Good Will Fire Company No. 1 of Trexlertown PA - \$53,618.00; and UMT Station #56 - \$42,209.00. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

E. Authorizing Replacement of the Pennsylvania State Police Building Roof

Mr. Faust recommends the execution of an agreement with Gordian for the replacement of the Pennsylvania State Police Building roof, gutter, downspouts, and fascia at a cost of \$137,300.65.

Motion by Supervisor Rader to execute an agreement with Gordian for the replacement of the PSP Building Roof, Gutter, Downspouts, and Fascia at a cost of \$137,300.65. Seconded by Chairman Brunell. The motion passed unanimously.

F. Authorizing Purchase of Inlet Control Structures for Grange Park/UMT Community Center

Mr. Faust recommends the authorization of the purchase of inlet control structures for the Upper Macungie Township Community Center Project at Grange Park from M&W Precast & Construction Supply at a cost of \$55,060.34. Mr. Faust stated that they do participate with COSTARS and they were the lowest bid that was received.

Motion by Chairman Brunell to authorize the purchase of inlet control structures for the UMT Community Center project at Grange Park from M&W Precast & Construction Supply at a cost of \$55,060.34. Seconded by Supervisor Rader. The motion passed unanimously.

G. Authorizing Execution of Easement Agreement with Lehigh County Authority

Mr. Ibach stated that the Township owned the casing that is under I-78, south of Fogelsville, and as part of the sewer upgrades it was replaced. The old casing was sold to Lehigh County Authority, and they would like to run a new waterline in this area. Due to the proximity of the waterlines, there should be an agreement that will allow both UMT and LCA to work within the easement.

Motion by Chairman Brunell to authorize the execution of an easement agreement with Lehigh County Authority. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

H. Authorizing Relining of Steel Pipe on Crackersport Road

Mr. Faust stated that there is a 66" pipe on Crackersport Road that has accumulated rust on the bottom. The relining of the steel pipe will help reduce the formation of sinkholes. National Gunite, which is a COSTARS member, is able to complete the work at a cost of \$35,190.00.

Motion by Chairman Brunell to authorize the relining of stormwater piping on Crackersport Road at a cost of \$35,190.00 by National Gunite, 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 November 2022 was \$2,081,913.08. Further details appear in the November Treasurer's Report.

Motion by Chairman Brunell to pay the bills for November 2022 in the amount of \$2,081,913.08. Seconded by Supervisor Rader. The motion passed unanimously.

B. Fire

Mr. Christ mentioned that the total response calls for Cetronia for the month of November were 272 that required mutual aid response from Upper Macungie Township. The annual Santa Runs for the three fire companies have been posted on Facebook and the Township website.

C. Police

Chief Sitoski mentioned that the Police Department will continue to grow their beards during Double Down December in support of Parkland Cares Food Pantry. There is a Go Fund Me page that has been posted on the website. He also stated that drivers should continue to be safe on the roads a colder weather rolls into the area.

D. Secretary

Ms. Vazquez stated that the Township's Community Map is currently being printed and will be mailed to all residents; the map will include important Township information and its cost was covered completely by the advertisements.

E. Refuse & Recycling

Mr. Sostarecz mentioned that $\frac{3}{4}$ of the Township will be affected by new pick-up days. Whitetail Disposal will be moving to a four (4) day pickup schedule. Residents that will be affected by this change should have received a postcard notifying the upcoming change, a second postcard will be sent toward the end of the month informing them of the specific date that they will provide the service. It will also be posted on social media as well as the website. Paul McNemar questioned as to what days will be a part of the new pick-up schedule. Mr. Ibach stated that it will be Monday through Thursday.

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X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Mr. Sean Gil asked about the live-in program at Station 8 and wanted to know if the two new firefighters were part of the live-in program and if not, was the live-in program was still being run out of Station 8. Mr. Christ responded that the program is still active with one person and a couple of part-timers.

Ms. Linda Gorr spoke about concerns regarding the Recreation Board. She stated that meetings have been moved to bi-monthly and it should be held on a monthly basis. Mr. Kukitz stated that he will look into Ms. Gorr's concerns and have internal discussions to see what the best course of action for the Parks and Recreation Board is as well as the Township. Mr. Sostarecz stated that the change in the by-laws was presented and approved by the board approximately one year ago. Ms. Gorr had a second concern regarding "term limits" for members of the Rec Board. She would like to have clarification on what are the specific requirements for the "term limits".

Mr. Paul McNemar requested that the Recreation Board meetings be lived streamed on YouTube for the benefit of the residents that are unable to attend the meetings at the Township. Mr. Sostarecz stated that it is the decision of every board to make the decision to stream their meetings as they choose. Mr. Ibach will draft a letter on behalf of the Board of Supervisors to the Recreation Board with their recommendation to stream their meetings.

Mr. Neeraj Sharma stated that the Recreation Board meetings should not be delayed or postponed due to having no items on the agenda. As volunteers the Recreation Board should have events for the residents of the Township. Volunteers should be required to attend a certain number of scheduled meetings. Friend of Upper Macungie are willing to change the day and time of their meetings to help support the Rec Board with their initiatives.



XI. ADJOURNMENT

There being no other business, **Chairman Brunell made a motion to adjourn the meeting at 7:47 p.m. Seconded by Supervisor Rader. The motion passed unanimously.**

Submitted by:

Jazmin Vazquez
Township Secretary