

**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 February 2, 2023, at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Sunny Ghai, Chairman; Kathy A. Rader, Vice-Chairwoman; James M. Brunell, 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, Fire Commissioner; Dave Alban, Township Engineer; Scott Faust, Public Works Director; Bruce Koller, Finance Director; and Mike Kukitz, Recreation Manager.

Chairman Ghai 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.

Secretary Vazquez announced an Executive Session which occurred prior to the meeting at 5:45 p.m. and the topic was legal matters.

**Motion by Supervisor Brunell to authorize the Township Manager to sign the settlement agreement between Leanne Carson v. Upper Macungie Township. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

**II. ADDITIONS/DELETIONS TO THE AGENDA**

None

**III. MINUTES****A. *January 3<sup>rd</sup>, 2023***

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

**Motion by Chairman Ghai to waive the reading of the minutes of the January 3<sup>rd</sup> meeting and approve them as presented. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

**IV. PRESENTATIONS****A. *ArtsQuest – Curt Mosel – Summer Events***

Mr. Curt Mosel from ArtsQuest stated that they are very excited to continue and expand their partnership with Upper Macungie Township while raising the awareness and use of Grange Park. ArtsQuest will be donating a portion of all ticket proceeds to the Upper Macungie Township Community Fund, to aid in the effort of the expansion of the park's usage. The events that are planned for this year are Music Weekend - May 12<sup>th</sup> & 13<sup>th</sup>, Upper Mac Days – June 23<sup>rd</sup> – 25<sup>th</sup>, SangriaFest – September 2<sup>nd</sup>, and VegFeast – September 9<sup>th</sup>.

**Motion by Chairman Ghai to approve special events permits at Grange Park for Music Weekend May 12<sup>th</sup> & 13<sup>th</sup>, Upper Mac Days at Grange Park June 23<sup>rd</sup> – 25<sup>th</sup>, SangriaFest September 2<sup>nd</sup>, and VegFest September 9<sup>th</sup>. Seconded by Supervisor Brunell. The motion passed unanimously.**

**V. DISCUSSIONS & UPDATES**

None

**VI. ORDINANCES**

None

**VII. RESOLUTIONS**

**A. Resolution #2023-02 – Docket #2339 – Air Products Chemicals, Inc. 7201 Hamilton Boulevard, – Preliminary Land Development Plan**

Mr. Sostarecz stated that the applicant is proposing the redevelopment of the site including the demolition of existing structures and underground utilities, waterlines, and stormwater pipes. The project has received the approval of a Special Exception by the Upper Macungie Township Zoning Hearing Board on August 24, 2022. On June 2, 2022, the Board of Supervisors granted waivers and deferrals. Conditional Preliminary Plan approval was recommended by the Planning Commission on October 17, 2022, and on December 21, 2022, the Planning Commission amended their motion to include revised pathways. Mr. Alban mentioned that there was a meeting held with the applicant on December 13<sup>th</sup> to discuss the widening of Cetronia Road and a reviewed plan was submitted on January 9<sup>th</sup>, 2023, and he along with Township Staff recommend preliminary approval. Mr. Ben Doble stated that he was an objector to what was being proposed at the site as he has concerns about potential pollution and contamination that may affect the surrounding community. Patrick Garay representing Air Products stated that they will be moving forward with the submission of permits for the demolition for the potential sale of the site.

**Motion by Supervisor Brunell to adopt Resolution #2023-02, granting Preliminary Plan approval to Docket #2339, Air Products Redevelopment of Cetronia Road Site conditioned upon the comments found in the Township Staff & Township Engineer Review Letters dated October 17, 2022. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

**B. Resolution #2023-03 – Docket #2304 – Trexler Pointe, Weilers & Schaefer Run Road – Preliminary Land Development Plan**

Mr. Sostarecz stated that the applicant is proposing to develop vacant property in the area of Weilers & Schaefer Run Road into 128 townhouse dwelling units with associated stormwater management, public water and sewer and other utility improvements. On October 19, 2022, the Planning Commission made recommendations on waivers, deferrals, and Preliminary Plan Approval of the Plan. Mr. Alban states that any outstanding items may be addressed with the Final Plan Approval Process. The applicant has also requested that there be a credit for Recreation Fee in the amount of \$82,000 that consists in a \$40,000 and a credit for a conservation area for the Township. Given that it is a public improvement staff is in support of providing the reduction.

**Motion by Chairman Ghai to approve Resolution #2023-03, granting Preliminary Plan Approval to Docket #2304 – Trexler Pointe Subdivision, and the granting of Waivers #1 – 6 and Deferrals #1 & #2 all conditioned upon Township Zoning Officer's and Township Engineer's letter dated October 17, 2022. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

**C. Resolution 2023-04 – Docket #2348 – Tercha Minor Subdivision Plan, 9230 Long Lane**

Mr. Sostarecz stated that the applicant would like to subdivide the 74-acre property into two properties. Land use is currently agricultural and will remain the same after the subdivision. The Planning Commission reviewed and recommended the approval of waivers 1-10 as well as the Conditional Final Plan Approval in there meeting that was help on January 18, 2023. Mr. Alban stated that there are Farmland Preservation Areas and for this reason the land will remain within the agricultural usage.

**Motion by Supervisor Brunell to approve Resolution #2023-04, granting Final Plan Approval to Docket #2348, Tercha Minor Subdivision Plan, as well as waivers 1 – 10, al conditioned upon Township Staff and Engineer review letters dated January 16, 2023. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

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**D. Resolution # 2023-05 – Docket #2351 – Newtown Road Minor Plan, 9518 – 9520 Newtown Road, Lot Consolidation Plan.**

Mr. Sostarecz stated that the applicant is proposing the consolidation of two existing parcels into one continuous lot containing 1.14 acres and there will be no site improvements as part of the proposal. The Planning Commission made recommendation to grant waivers 1-8 and Conditional Final Plan Approval in their meeting that was held on January 18, 2023.

***Motion by Vice-Chairwoman Rader to approve Resolution #2023-05, granting Final Plan Approval to Docket # 2351 – Newtown Road Minor Plan, conditioned upon Township Staff and Engineer review letters dated December 19, 2022. Seconded by Supervisor Brunell. The motion passed unanimously.***

**E. Resolution #2023-06 – Docket #2316 – Fallbrooke Subdivision, 9160 Schantz Road & 410 Twin Pond Road – Final Subdivision Plan**

Mr. Sostarecz stated the proposed project borders Veterans Elementary School on almost all 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. Preliminary Plan Approval was granted by the Board of Supervisors on June 2, 2022, along with six granted waivers and two deferrals. In the meeting held by the Planning Commission on December 21, 2022, there was a recommendation made to grant Final Approval of the Plan. Mr. Alban states the Township would receive a Recreation Fee in lieu of parkland in the amount of \$315,000.

***Motion by Chairman Ghai to approve Resolution #2023-06, granting Final Plan Approval to Docket #2316, Fallbrooke Residential Subdivision Plan, conditioned upon Township Staff and Engineer review letters dated December 19, 2022. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.***

**F. Resolution 2023-07 – Docket #2324 – Glenlivet Drive Extension & Residential Subdivision, Main Street Fogelsville – Final Subdivision Plan**

Mr. Sostarecz stated that the proposed project is for the construction and development of 52 single family dwellings, including the construction of waterlines, sanitary sewer, access improvements as well as a roadway connection from Church Street to Main Street, in where Main Street would be realigned. Preliminary Plan Approval was received at the September 1, 2022, Board of Supervisors meeting. At the Planning Commission meeting held on December 21, 2022, there was a recommendation made to grant Final Plan Approval conditioned upon Staff & Engineer review letters dated December 19, 2022. The Planning Commission also recommend that parkland be accepted in lieu of a fee. Staff and Engineers recommend that the Recreation Contribution in the amount of \$182,000 be accepted in lieu of parkland. Mr. Paul McNamar, President of the Planning Commission stated the reasoning behind the recommendation of the Planning Commission to accept parkland in lieu of a fee would be the economic benefit. Mr. Jeff Sukal inquired if there was parking proposed on Glenlivet, Mr. Alban stated that at this time there are no plans for allowing parking on this road. Ms. Marilyn Leiby, resident of Fogelsville, stated her concern over the speed limit that would be posted Glenlivet Drive and if the road would be monitored by police. Mr. Alban confirmed that the speed limit would be 35 mph and that the Upper Macungie Township Police Department would be monitoring that street.

***Motion by Supervisor Brunell to approve Resolution #2023-07, granting Final Plan Approval to Docket #2321, Glenlivet West Subdivision, conditioned upon Township Staff and Engineer review letters dated December 19, 2022. Seconded by Chairman Ghai. Motion passed unanimously.***

**VIII. MOTIONS**

**A. Authorizing Township Manager to Sign Fire Service Agreement with Brycer LLC.**

Fire Commissioner Christ stated that this agreement will provide a web-based service that will aggregate, track, and streamline the collection of compliance data within the data. This will allow the Bureau of Fire to better mitigate risks within our commercial buildings and provide a timely tracking of code compliance. This agreement will not have a fee to the Township.

**Motion by Vice-Chairwoman Rader to authorize the Township Manager to sign a contract with Brycer LLC, to provide the Compliance Engine for a 3-year term. Seconded by Supervisor Brunell. The motion passed unanimously.**

**B. Appointing Barry Isett & Associates as the Upper Macungie Township Alternante/Conflict Engineer.**

Ms. Vazquez stated there are times when we are unable to use the services of our Township Engineer due to conflicts and therefore should have an alternate appointed.

**Motion by Vice-Chairwoman Rader to appoint Barry Isett & Associates as the Upper Macungie Township Alternate/Conflict Engineer. Seconded by Supervisor Brunell. The motion passed unanimously.**

**C. Appointing Jason Krier to Friends of UMT (3-year Term Expires 12/31/2026)**

Mr. Ibach states that Jason is on the Board of Upper Macungie Township Parks & Recreation, Inc. that is a registered non-profit organization. His term has expired, and he has volunteered to be reappointed.

**Motion by Vice-Chairwoman Rader to appoint Jason Krier to Friends of Upper Macungie Township Parks & Recreation, Inc. Board of Directors for a three-year term expiring December 31, 2026. Seconded by Supervisor Brunell. The motion passed unanimously.**

**D. Authorizing Conditional Offer of Employment for a Recreation Supervisor**

Mr. Ibach stated that this position was due to an opening due to a resignation that occurred earlier in the year. During the job search to fill the Recreation Manager's position there was a qualified candidate that was identified and would like to extend the offer of conditional employment to Kylee Gill.

**Motion by Supervisor Brunell to hire Kylee Gill as Recreation Supervisor at a salary of \$68,000 per year pending successful completion of all background checks and clearances. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.**

**E. Authorizing Extension of Time Limitation for Plan Recording for Hidden Meadows Phase 3**

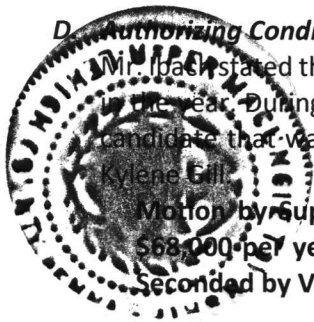
Mr. Sostarecz stated that there have been several times over the past months that there has been a request to extend the time limitations for the recording of the plans, at this time there is a request for an extension for Hidden Meadows Phase 3. He also states that there is an update to the ordinance that is being drafted to extend the period of time for recording to 120 days, this will help to reduce the frequency of extensions that will have to come before the Board.

**Motion by Vice-Chairwoman Rader to authorize the extension from the required time period for recording for an additional 90 days for Docket #2299 – Hidden Meadows Phase 3. Seconded by Chairman Ghai. Motion passed unanimously.**

**F. Authorizing Advertisement of Bids for the 2022 Roadway Paving Projects**

Mr. Faust stated that he requests the Board authorize the advertising of the roadway paving projects that were included in the 2023 budget. The bids would be brought back to the Board for awarding at a future meeting.

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**Motion by Chairman Ghai to authorize the advertisement of bids for the 2023 Roadway Paving Projects. Seconded by Vice-Chairman Rader. The motion passed unanimously.**

**G. *Authorizing Advertisement of Bids for the 2023 Lawn Mowing Contract***

Mr. Faust stated that he requested a motion to proceed with the bidding for the 2023 Retention Pond Lawn Mowing Contract.

**Motion by Chairman Ghai to authorize staff to proceed with bidding for the 2023 Retention Pond Lawn Mowing Contract. Seconded by Supervisor Brunell. Motion passed unanimously.**

**IX. BOARD AND STAFF REPORTS**

**A. *Treasurer***

The total bills from all funds for January 2023 was \$3,541,851.93. Further details appear in the December Treasurer's Report.

**Motion by Chairman Ghai to pay the bills for January 2023 in the amount of \$3,541,851.93. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

**B. *Police***

Chief Sitoski stated that their Let it Grow Campaign was great success as they raised \$2,380 that was donated to Parkland C.A.R.E.S. Food Pantry.

**X. PUBLIC COMMENT/COURTESY OF THE FLOOR**

Mr. Jeff Sukal stated that he observed there were 14 DUI arrests during the month of January and inquired if the amount of arrest was due to any initiatives done in January. If this was not the case should there be plans for initiatives in the future. Chief Sitoski stated that the arrests were not due to any initiatives and the Police Department does participate with the Lehigh County DUI Taskforce that plan checkpoints.

Mr. Jeff Kocher stated his concerns about speeding issues on Adams Road. He is aware that the police have done speeding checks in the area but is requesting that a permanent solution be considered between Schantz Road and Main Street in Fogelsville. The posted speed limit is between 20 – 35 mph and there are no stop signs. Vice-Chairwoman Rader acknowledged that the speeding on that road is an issue and mentioned that this is a state road. Mr. Alban stated he can reach out to PennDOT. Supervisor Brunell also requested that the UMPD place a device there to monitor the traffic along the roadway. Ms. Susan Jasorka also stated her concerns with the speeding on this road as a new resident of the Township and was in support of the concerns that were brought forth by Mr. Kocher.

Mr. Kevin Tomerler mentioned that when he called the Township phone tree and selected option #9 to reach the Police Department and it was busy. Mr. Ibach stated that the Township would investigate this matter.

**XI. ADJOURNMENT**

There being no other business, **Chairman Ghai made a motion to adjourn the meeting at 8:18 p.m. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

Submitted by:



Jazmin Vazquez  
Township Secretary