

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 May 4, 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; 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.

II. ADDITIONS/DELETIONS TO THE AGENDA

Motion by Chairman Ghai to delete Resolution D, Inter-Municipal Liquor License Transfer Request for Trexler Travel Center, LLC – 5829 Tilghman Street from the agenda. Seconded by Supervisor Brunell. Motion passed unanimously.

III. MINUTES

A. May 4, 2023

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

Motion by Vice-Chairwoman Rader to waive the reading of the minutes of the May 4, 2023 meeting and approve them as presented. Seconded by Supervisor Brunell. The motion passed unanimously.

IV. PRESENTATIONS**A. Vision Zero Action Plan Presentation.**

Mr. Sostarecz stated that the Township, in partnership with Simone Collins Landscape Architecture, has completed its work on the Vision Zero Action Plan/Trail Walkability Plan Study. The completed report is now ready for acceptance by the Board of Supervisors. As part of this plan, a Vision Zero Support Letter has been drafted to be included as part of the Vision Zero Action Plan. The Vision Zero Plan is a requirement for the submission of the Federal Safe Streets for All Grant Application that was discussed in the May 2023 General Meeting. Peter Simone presented a brief overview of the Action Plan to the Board. Chairman Ghai thanked Simone Collins, Staff, and the Community for all of the hard work that was put into the creation of this Plan.

Motion by Supervisor Brunell to adopt Resolution #2023-24, accepting the Vision Zero Action Plan as prepared by Simone Collins Architecture, as well as the Vision Zero Support Letter therein. Seconded by Chairman Ghai. Motion passed unanimously.

V. DISCUSSIONS & UPDATES**A. Petition to Change Zoning Map – Boing U.S. Holdco, Inc.**

Mr. Sostarecz stated that Boing U.S. Holdco, Inc. has submitted a petition for a zoning map change. Because the Township has engaged Michael Baker International to globally study the Township's Zoning and SALDO Ordinances, as well as the Zoning Map, Staff and consultants recommend that the petition be forwarded to them for the inclusion in their study. Rob Lewis from Kaplan Stewart who represents Boing U.S. Holdco, Inc. provided a short overview of their petition for a change in the Zoning Map from Neighborhood Commercial to Highway Commercial for a property that is located on Route 100 and Tilghman Street. The use that is being proposed for this property is a carwash and the property has dual access from both Route 100 and Tilghman Street.

160245

Motion by Chairman Ghai to forward the Zoning Petition of Boing U.S. Holdco, Inc. to the Township's Zoning/SALDO/Official Map Consultant Michael Baker International for consideration during their study. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

VI. ORDINANCES

None

VII. RESOLUTIONS

A. **Resolution #2023-25 – Sewage Planning Module – Brookwood Proposed Food Lab, 7150 Windsor Drive**

Mr. Alban stated that this is an existing lot with an allocation of 2,200 gallons per day and the applicant is requesting an increase of 7,800 gallons per day for a total of 10,000 gallons per day. The Planning Module has been reviewed by Keystone Consulting Engineers and deemed ready for adoption by the Board. Vice-Chairwoman Rader inquired if LCA was able to handle the extra gallons? Mr. Ibach stated that LCA has already signed off on this request.

Motion by Supervisor Brunell to adopt Resolution #2023-25, approving the submission of a sewage planning module for Brookwood proposed food laboratory. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.

B. **Resolution #2023-26 – Boyd Agriculture Security Acknowledgement**

Mr. Sostarecz stated that the Berks County Agricultural Land Preservation Board has forwarded a letter to the Township requesting that the Board of Supervisors of Upper Macungie acknowledge that the William T. & Karen A. Boyd Living Trust enrolled their property along Valley Road in the Agricultural Security Area for Longswamp Township. They provided a copy of the Longswamp Township Ordinance from 2002 in which that occurred.

Motion by Chairman Ghai to adopt Resolution #2023-26, acknowledging that the Boyd Revocable Trust property on Valley Road has been enrolled in Longswamp Township's Agricultural Security Area. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

C. **Resolution #2023-27 – Docket #2364, Sam Adams Minor Land Development Plan**

Mr. Sostarecz stated that Sam Adams has presented a Minor Land Development Plan application to construct a 5,600 square foot storage building located on the northwest side of their property. The plan proposes to construct over existing impervious coverage. Upon review of the plans the Zoning Officer, Engineer and Staff agree that this plan qualifies as a Minor Land Development plan and therefore does not require a recommendation from the Township Planning Commission. Mr. Alban stated that there will be no waivers required for this plan.

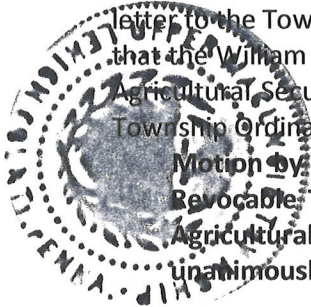
Motion by Chairman Ghai to adopt Resolution #2023-27, granting Preliminary/Final Land Development Plan approval to Docket #2364, Sam Adams new storage building, conditioned upon the Township Engineer's review letter dated May 15, 2023. Seconded by Supervisor Brunell. The motion passed unanimously.

VIII. MOTIONS

A. **Authorizing Extension of Time for Limitations for the Recording of Plans – 1001 Glenlivet Drive**

Mr. Sostarecz stated that the Township Ordinances require plans to be recorded during a certain amount of time after approval has been given, 1001 Glenlivet Drive is close to recording but will require an extension. The new ordinance that was passed will increase this from 90 to 120 days.

160245



Motion by Vice-Chairwoman Rader to authorize the extension from the required time for the recording of Docket #2317 – 1001 Glenlivet Drive for an additional 120 days. Seconded by Supervisor Brunell. Motion passed unanimously.

B. Authorizing Township Staff and Consultants to Attend the ZHB Meeting – Route 100 & Schantz Road – Special Exception

Mr. Sostarecz stated that on June 14, 2023 the Zoning Hearing Board will hearing the appeal of 110 PA Route 100 LLC regarding a Special Exception Application to construct a warehouse and he is requesting the Board authorize Township Staff and Consultants to attend this hearing as interested parties. Solicitor Schantz stated that this application is for the construction of a distribution warehouse at the corner of Shantz Road and Route 100 where the Zoning officer has made an interpretation that this is a commercial site that was established with the development of a hotel as part of a Condominium Site. If the Zoning Hearing Board makes a favorable decision for the applicant this will continue through the Special Exception process, for this reason Township Staff and Consultants would like the opportunity to be present to hear the testimony and can rebut any testimony if needed.

Motion by Vice-Chairwoman Rader to authorize the Township Staff and Consultants to attend the Zoning Hearing Board meeting on June 14, 2023, as an interested party for the appeal of 110 PA Route 100 LLC. Seconded by Supervisor Brunell. Motion passed unanimously.

C. Awarding of Bid for State Route 222 and Grange Road Dual Right Turn Signalization Project

Mr. Alban stated that this project is part of a \$200,000 Multimodal Grant that was received by the Township. This project was put out to bid through PennBid and three bids were received ranging from \$150,500 to \$194,938.10. He recommends the bid be awarded to C.M. High as the low bidder in the amount of \$150,500.

Motion by Supervisor Brunell to award bid for the 2023 State Route 222 and Grange Road Dual Right Turn Signalization Project in the amount of \$150,500.00 to C.M. High. Inc. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

D. Awarding of Bid for the 2023 9.5 MM Overlay Project

Mr. Alban stated that this project is for the mill and overlay of Mohr Lane. There were six bids received via the PennBid System ranging from \$146,277.55 to \$271,435.50. After reviewing the bids, the low bid was from New Enterprise Stone & Lime Company, Inc. at a cost of \$146,277.55.

Motion by Vice-Chairwoman Rader to award the bid for the 2023 9.5 MM Asphalt Overlay Project in the amount of \$146,277.55 to New Enterprise Stone & Lime Company, Inc. Seconded by Chairman Ghai. Motion passed unanimously.

E. Awarding of Bid for the Manhole Maintenance and Rehabilitation Project

Mr. Ibach stated that this is part of the yearly project to help reduce the I&I in the sanitary sewer systems. This was put out to bid, there were two bids received ranging from \$232,800.00 to \$328,750.00. The low bidder was PIM Corporation, and the Township has a long history with them and feels comfortable awarding the bid in the amount of \$232,800.00.

Motion by Vice-Chairwoman Rader to award bid for the Manhole Maintenance and Rehabilitation Project to PIM Corporation, at a cost of \$232,800.00. Seconded by Supervisor Brunell. Motion passed unanimously.

F. Authorizing the Advertisement and Hiring Process for an Assistant Finance Manager

Mr. Ibach stated that this position was approved in the 2023 Budget as our current Finance Director is transitioning into retirement in the next 18 months. As part of the transition plan the

Township would like to start the hiring process to allow training and become familiar with the current processes. Vice-Chairwoman Rader stated that with the size of the Township Budget it is a good idea to hire for this position as soon as possible.

Motion by Vice-Chairwoman Rader to authorize the advertisement and hiring process for an Assistant Finance Manager. Seconded by Supervisor Brunell. Motion passed unanimously.

G. Appointing Tax Delegates – Lehigh Tax Collection Committee

Mr. Ibach stated that the appointing of Delegates is due to a resignation as well as to update the information for the Lehigh Tax Collection Committee. The Township would like to appoint Bruce Koller as the Delegate, Robert Ibach as Alternate Delegate #1 and Kalman Sostarecz as Alternate Delegate #2.

Motion by Supervisor Brunell to authorize the appointment of Bruce Koller as the delegate, Robert Ibach as Alternate Delegate #1, and Kalman Sostarecz as Alternate Delegate #2 to the Lehigh Tax Collection Committee. Seconded by Supervisor Vice-Chairwoman Rader. Motion passed unanimously.

H. Authorizing Employee Handbook Update

Mr. Ibach stated that updates to the Employee Handbook have been proposed by Human Resources; the Handbook applies to employees that are not covered under a Union Agreement. The policies that are being updated are the Travel Policy, Smoke & Tobacco Free Workplace, Continuing Education – Tuition Refund, Anti-Nepotism, Meal Breaks, Process for Resignation and Office Appearance. Chairman Ghai stated that there should be a clarification made in the Travel Policy to state that any rental vehicle should be at the Intermediate Level. Mr. Ibach stated that any expenses would be authorized by the Department Head as well as the Township Manager.

Motion by Chairman Ghai to adopt changes to the employee handbook as amended. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

I. Authorizing the Order of a 2025 Mack GR42FR Cab and Chassis

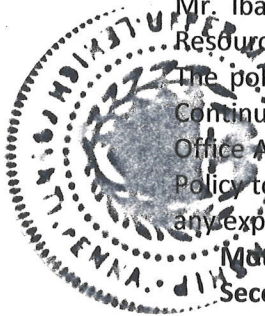
Mr. Faust stated that the order of the 2025 Mack GR42FR should be submitted now to stay on track with the replacement schedule. Also, the price of the outfitting of the truck that has increased by \$1,300 in the past three months will be locked in. There will be no payment made until the truck has been received. This will be under a COSTARS Contract. Mr. Ibach stated that if there was a need to cancel the order this can be done without incurring in any penalties.

Motion by Supervisor Brunell to authorize the order of 2025 Mack GR42FR Cab and Chassis from TransEdge at a cost of \$182,953.35, and outfitting with E.M. Kutz, Inc. at a cost of \$72,109.00. For a total of \$255,062.35. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

J. Authorizing Special Events Permit – Concert in the Park

Mr. Kukitz stated that he is requesting Rising River Brewing to attend and serve alcohol at the June 2, 2023 Community Concert in the Park. Mr. Kukitz stated that both Public Works and Upper Macungie Police will be on site to ensure the safety of everyone. Chairman Ghai mentioned that he knows the owner of Rising River Brewery and has worked with him on a professional and personal basis and that this will not impair his judgement in deciding on this matter. Solicitor Schantz stated that when a special events permit is presented before the Township, the Certificate of Insurance is forwarded and reviewed by the Township's Insurance Company and in this case the levels have been approved. Therefore, he understands that all paperwork has been submitted to his satisfaction.

160245



Motion by Vice-Chairwoman Rader to approve Rising River Brewing to attend and serve alcohol at the June 2, 2023, Community Concert in the park as long as all of the paperwork is copacetic with the Township Solicitor. Seconded by Chairman Ghai. Motion passed unanimously.

K. Authorizing the Purchase of a Police K-9 for the Police Department

Chief Sitoski stated last year K-9 Bico was retired due to an injury and this K-9 would fill that position. The Township has a K-9 Vehicle available that was purchased prior to the retirement of Bico. Chief Sitoski stated that he is requesting to utilize funds from the American Rescue Plan Act with a cost not to exceed, while also exploring potential fundraising opportunities for the purchasing and training of a new K-9. Officer Poapst has submitted for a grant with Aftermath where anyone can vote up to three times per day per device via Facebook, Instagram and the Aftermath Website. Supervisor Brunell stated that in the past we have been lucky and have received donations that have covered the cost of acquiring a K-9 and that this may happen again.

Motion by Supervisor Brunell to authorize the purchase of a police K-9 to be used on patrol with the Police Department at a cost not to exceed \$16,500.00. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

L. Authorizing Final Offer of Employment for the Patrol Officer Recruit Position

Chief Sitoski stated that this is to fill a Recruit Position by Courtney Funk that has completed her physical and background clearances. She does not have the Act 120 Training and the Upper Macungie Police will be sponsoring her or that training with completion scheduled in December. This position is fully funded in the 2023 Budget.

Motion by Chairman Ghai to authorize a final offer of employment to Courtney Funk as Patrol Officer Recruit pending successful completion of all background checks and clearances with and anticipated start date of July 5, 2023, at a rate of \$36.50 per hour. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

M. Authorizing Final Offer of Employment to Police Candidate

Chief Sitoski stated that Police Candidate David Fritsche is nearing the end of the background checks and clearances for this position. He is a local resident and a member of Station 56 Fire Station as well. This position is fully funded in the 2023 Budget.

Motion by Supervisor Brunell to authorize a final offer of employment to David Fritsche as Patrol Officer pending successful completion of all background checks and clearances with an anticipated start date of June 26, 2023, at a rate of \$36.50 per hour. Seconded by Vice-Chairwoman Rader. Motion Passed unanimously.

N. Authorizing Fire Police Assistance for Gran Fondo Hincapie – Bicycle Ride

Commissioner Christ stated this is the second year that Gran Fondo Hicapie, LLC in partnership with other county organizations will be holding a bicycle ride through multiple Township and Counties. They have requested that the Fire Police assist with traffic control at several intersections within the Township along with the Police Department.

Motion by Vice-Chairwoman Rader to authorize Fire Police Assistance for traffic control on June 3rd, 2023, at various intersections in the Upper Macungie Township for a bicycle ride, at the request of Gran Fondo Hincapie. Seconded by Chairman Ghai. Motion Passed unanimously.

IX. BOARD AND STAFF REPORTS

A. *Treasurer*

The total bills from all funds for May 2023 was \$1,956,401.56. Further details appear in the May Treasurer's Report.

Motion by Chairman Ghai to pay the bills for May 2023 in the amount of \$1,956,401.56. Seconded by Supervisor Brunell. The motion passed unanimously.

B. *Assistant Township Manager & Director of Community Development*

Mr. Sostarecz mentioned that there was an Executive Session held at 5:30 p.m. and the topic was personnel. He also mentioned that there will be a Zoning/SALDO Public Workshop that will be held on Tuesday July 25th from 6:00 - 8:00 p.m. with the consultant Michael Baker international and encouraged residents to participate in this workshop and engage with the process through the Township Website. Mr. Sostarecz also stated that the Planning Commission Meeting has been cancelled for the month of June due to the lack of business.

C. *Township Engineer*

Mr. Alban provided an update on the traffic issues on Scenic View Drive and stated that the Police Department is still in the process of completing traffic studies and a site distance evaluation has been completed. Once all the data has been verified there will be an anticipated recommendation made before the Board in the July General Business Meeting.

D. *Finance Director*

Mr. Koller provided final numbers on the Electronic Recycling and Shredding Events that were held in the month of May. There were approximately 5.8 tons of paper that was shredded that is equal to saving 99 trees. The Electronic Recycling Event gathered 22.6 tons of items for recycling, with the largest percentage of these items being television sets.



X. PUBLIC COMMENT/COURTESY OF THE FLOOR

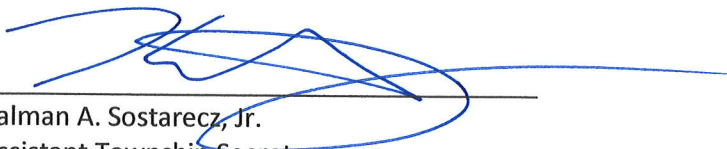
Ms. Marine Yutz thanked the Police Department for what has been done to address the speeding issue on Scenic View Drive. She also mentioned if there is something that can be done about trucks utilizing Jake Brakes on Shantz Road.

Mr. Jeff Kocher from Adams Road inquired if there was an update from PennDOT on the issue on speeding on Adams Road. Mr. Alban stated that PennDOT has gone out on a field view and that was the only information that has been received.

XI. ADJOURNMENT

There being no other business, **Chairman Ghai made a motion to adjourn the meeting at 8:17 p.m. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.**

Submitted by:



Kalman A. Sostarecz, Jr.
Assistant Township Secretary

160245