

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 August 3, 2023, at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were Sunny Ghai, Chairman; Kathy A. Rader, Vice-Chairwoman; James M. Brunell, Supervisor; Robert R. Ibach, Jr., Township Manager; 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.

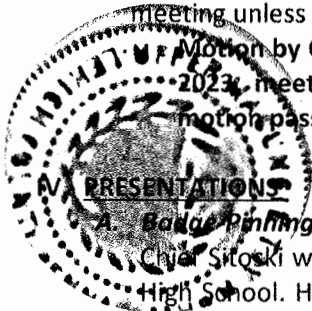
II. ADDITIONS/DELETIONS TO THE AGENDA

Motion by Supervisor Brunell to remove Item "B" under Resolutions Sheetz Liquor License Transfer and move it to the September meeting. Seconded by Chairman Ghai. Motion passed unanimously.

III. MINUTES**A. July 6, and July 10, 2023**

Chairman Ghai stated that he would dispense with the reading of the minutes of the previous meeting unless there were any objections.

Motion by Chairman Ghai to waive the reading of the minutes of the July 6th and July 10th 2023 meetings and approve them as presented. Seconded by Supervisor Brunell. The motion passed unanimously.

**A. Badge Pinning Ceremony for New Police Officer David Fritsche**

Chief Sitoski welcomed new Police Officer David Fritsche, who is a 2014 graduate of Parkland High School. He received his Bachelors' Degree from East Stroudsburg University in 2017 and obtained his Act 120 Certification with the Allentown Police Academy in 2019. Officer Fritsche is also a Volunteer Fire Fighter with Station 56 where he holds the rank of Captain. David was accompanied by his wife Kaylee Fritsche for the badge-pinning ceremony.

B. Community Resource Officer Julia Poapst

Chief Sitoski stated Officer Julia Poapst will now be assisting Officer William Rohrbach in the Community Services Division. Julia joined the Department in December of 2020 and assisted with the planning and organization of the 2023 National Night Out, which was a great success. Officer Poapst mentioned that she is very excited to take on her new role and is looking forward to work within the community to provide further outreach opportunities for our residents.

C. Introduction of K-9 Nyala

Chief Sitoski presented Nyala who is the Police Department's newest K-9 along with her handler Sergeant Gardner. Nyala has been chosen to become part of the team. K-9's are an important part of community engagement and Nyala will be a great addition. Sergeant Gardner mentioned that Nyala is a one-year-old Belgian Malinois and will be on the streets full time starting in November. Chief Sitoski thanked the Township, Board, and the Community for their support.

V. DISCUSSIONS & UPDATES**A. Updates and Revisions to Township Noise Regulation**

Mr. Ibach opened a lengthy discussion regarding the Township Noise Regulations. This discussion will be taken into consideration to revise the Township Noise Ordinance. Ms. Kathy Wyrodsick, from

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Michael Baker International, joined the discussion via phone. Solicitor Schantz stated that he has prepared a draft ordinance in cooperation with Township Staff and Consultants. As one of the proposed changes, the Noise Ordinance should not be included in the Zoning Ordinance and should be located under Section 5; Environmental Protection, which would allow for timely enforcement. Chairman Ghai stated that he had concerns about allowing the decibels to be set at 75, as this may be too loud. Vice-Chairwoman Rader stated that the ordinance would have to be further evaluated to ensure that it can be adequately enforced. Ms. Kathy Wyrodsick stated that they will also be drafting a Noise Abatement Ordinance in the future. Ms. Juliane O'Brian asked for clarification on how industrial noise and frequencies can be monitored and enforced moving forward with the proposed Ordinance changes. Mr. Paul McNamar asked how the Noise Ordinance addresses Emergency and Training Grounds. Vice-Chairwoman Rader stated they would be exempt from this requirement. Mr. Nan Dunayar also had concerns with the level of decibels that is being proposed. Mr. William Smith requested clarification on how the ordinance will address tractor trailers that travel down Route 100 and have been measured at over 100 decibels. The Board suggested that the draft be formatted into ordinance form and posted for residents to review.

Motion by Supervisor Brunell to allow Solicitor Schantz and Staff to post a draft of the Township Noise Regulation for public review. Seconded by Chairman Ghai. Motion passed unanimously.

VI. ORDINANCES

A. Ordinance #2023-09 – Amending Chapter 1 – Parks and Recreation

Mr. Kukitz stated that the recommended amendments will provide direction to the Parks and Recreation Board. This will allow for continued success regarding the development, implementation and evaluation of meaningful events, along with activities that will improve the quality of life for the residents of Upper Macungie Township.

Motion by Vice-Chairwoman Rader to adopt Ordinance #2023-09, amending Chapter 1 of the Township of Upper Macungie Code of Ordinances regarding the Parks and Recreation Board. Seconded by Supervisor Brunell. The motion passed unanimously.

VII. RESOLUTIONS

A. Resolution #2023-36 – Docket #2362 – William and Holly Smith Minor Subdivision Plan – 941 Arrowhead Lane

Mr. Sostarecz stated that the applicant is proposing to subdivide the 28.35-acre tract into two separate lots divided by woodlands and steep slopes. The applicant is not proposing to build any structures at this time. On April 17, 2023, Upper Macungie Township Planning Commission made a favorable recommendation to grant preliminary/final approval of the plan, waivers, and deferrals.

Motion by Supervisor Brunell to adopt Resolution #2023-36, granting Preliminary/Final Minor Subdivision Plan Approval to Docket #2632 – William and Holly Smith Minor Subdivision Plan, as well as Waivers #1 through #8 and Deferral #1, all conditioned upon the Township Engineer's review letter dated July 27, 2023. Seconded by Vice-Chairwoman Rader. The motion passed unanimously.

VIII. MOTIONS

A. Authorizing Agreement for New Finance and Community Development Software with Tyler Technologies, Inc.

Mr. Sostarecz stated the Township is using two separate software programs for Finance and Community Development, these programs do not interact with each other or meet the needs of Township Staff to effectively serve the residents of our community. Staff and consultants have been evaluating alternative software packages and determined that the solution proposed by

Tyler Technologies is well suited for our current needs and those well into the future. This program will allow residents and contractors to submit, pay, communicate, and print their completed permits online, therefore, reducing the amount of foot traffic, allowing our staff to focus on other tasks. Mr. Koller mentioned that the integration of this system will help with issues that have been identified with the current system that is being used. This will help with the auditing process, as all financial information will be on one system. Mr. Terry Quinn of Tyler Technologies joined via telephone and stated that the proposal submitted included travel that will be needed during the setup and training of this product. He also noted, if there is less time used the fees will be adjusted. The cost of this product will be locked in for the three to four years, including an escalator clause of about 5%, which can be considered for years four, five, and six. Mr. Sostarecz mentioned that the fees that are collected from Permitting, Zoning and Planning can be used to pay for this software. Chairman Ghai stated that he would like more information prior to making a vote and defer the decision to the September meeting.

Motion by Chairman Ghai to table the authorization of an agreement for the new Finance and Community Development Software to the September meeting. Motion failed due to a lack of a second. Motion by Supervisor Brunell to authorize an agreement with Tyler Technologies, Inc. for a new Finance and Community Development software with an implementation cost not to exceed \$319,055.00, including travel, with funds being utilized from the American Rescue Plan Act; as well as an annual System Service Fee of \$146,847.00; all to the satisfaction of the Township Manager, Solicitor and Staff. Seconded by Vice-Chairwoman Rader. Motion passed 2-1, Sunny voted NO.

B. Authorizing Township Manager to Send Letter of Support to the Lehigh Valley Economic Development Corporation

Chairman Ghai noted that this letter of support from the Township will assist the Lehigh Valley Economic Development Corporation in the process of submitting an application to receive federal designation as a Regional Technology and Innovation Hub. During Phase One the consortium is only seeking the designation, no funding will be requested at this time.

Motion by Vice-Chairwoman Rader to authorize the Township Manager to send a letter of support to the Lehigh Valley Economic Development Corporation to support the Lehigh Valley consortium's application to receive federal designation as a Regional Technology and Innovation Hub. Seconded by Chairman Ghai. Motion passed unanimously.

C. Awarding of Bid – Schantz Road and Route 100 Traffic Signal Rewiring Project

Mr. Alban stated that signal rewiring is needed due to numerous cable splices made from PennDOT's betterment projects and traffic accidents. Due to these splices, and proximity to large power lines overhead, along with underground wiring is causing interference with our traffic signal equipment and grounding issues. This project will create new conduit away from power lines and will eliminate all traffic cable splicing. There was only one bid received on PennBid in the amount of \$41,900.00 from C.M. High Inc. and recommend that this bid be awarded.

Motion by Vice-Chairwoman Rader to award the 2023 bid for the Schantz Road and Route 100 Traffic Signal Rewiring Project to C.M. High, Inc. in the amount of \$41,900.00. Seconded by Supervisor Brunell. Motion passed unanimously.

D. Authorizing Re-Bid for the Purchase of Used Track Loader

Mr. Faust stated that this was advertised for bid in the month of July, but no bids were received. He requested that the bid be advertised to replace a 1996 John Deere Loader.

Motion by Supervisor Brunell to authorize the re-bidding for the replacement of a 1996 John Deere Loader. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

E. Authorizing the Purchase of Office Furniture Using ARP Act Funds

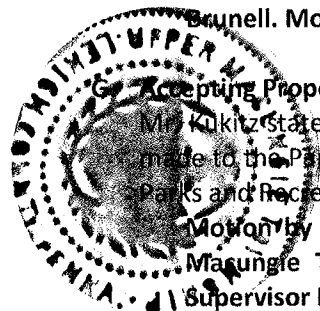
Mr. Ibach stated that the Township would like to replace the office furniture in the Finance and Administration Department to create new workstations for new part-time employees, and to upgrade office equipment that is counter height for comfort of our employees.

Motion by Vice-Chairwoman Rader to authorize the purchase of replacement office furniture and workstations for the Finance and Administrative Offices from Interior Workspace Solutions in the amount of \$18,463.86, utilizing funds from the American Rescue Plan Act. Seconded by Supervisor Brunell. Motion passed unanimously.

F. Authorizing KCE to Apply for a PennDOT Highway Occupancy Permit for Church Street Sidewalk

Mr. Ibach stated that the Glenlivet West Subdivision Plan was approved, and the developer installed sidewalks, as was discussed as part of the approval process. David Jaindl and the Township Engineer have agreed that if the Township applied for the Highway Occupancy, Jaindl Land Development would install the remaining sidewalk, which will help the stormwater drainage in this area. This also provides a connection to Church Street as part of the Connectivity Plan. Mr. Alban Stated that the permit would have a fee of \$22,000.00.

Motion by Vice-Chairwoman Rader to authorize Keystone Consulting Engineers to complete a PennDOT Highway Occupancy Permit for the construction of a sidewalk along Church Street in Fogelsville in the amount not to exceed \$22,000.00. Seconded by Supervisor Brunell. Motion passed unanimously.



G. Accepting Proposed Changes to the Parks and Recreation Board By-laws

Mr. Kukitz stated that the recommended amendments to the Bylaws coincide with the changes made to the Park and Recreation Board Ordinance, the change will provide clear direction to the Parks and Recreation Board.

Motion by Vice-Chairwoman Rader to accept the proposed amendments to the Upper Merion Township Parks and Recreation Board By-laws as presented. Seconded by Supervisor Brunell. Motion passed unanimously.

H. Authorizing to Proceed with Filling a Vacant Position in the Recreation Department

Mr. Ibach stated the Township is growing tremendously, and the Township's recreational opportunities have not kept pace with the growth that is being seen. In February of 2023, the Board approved a Recreation Supervisor position, which was filled. Due to a resignation, the Township would like to fill this open position.

Motion by Supervisor Brunell to authorize the advertising and interviewing for the purpose of filling the open Recreation Supervisor position. Seconded by Vice-Chairwoman Rader. Motion passed unanimously.

I. Authorizing Final Offer of Employment to Police Department

Chief Sitoski stated that Police Candidate Gregory McCabe is nearing the end of the background checks and clearances for this position. Upon successful completion he has an expected start date of September 5, 2023. This position is fully funded in the 2023 budget.

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

J. Authorizing Fire Police Assistance for Lehigh Wheelmen Association and A Night in the Country

Commissioner Christ requested authorization for Fire Police Assistance at various intersections for A Night in the Country to be held on August 19, 2023, with a rain date of August 20, 2023. A

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second event will require Fire Police Assistance on September 4, 2023, to provide traffic control at various intersections in the Township.

Motion by Vice-Chairwoman Rader to authorize Upper Macungie Township Fire Police to assist with traffic control at various intersections within the Township for a Night in the Country at the request of Northwestern Recreation Commission on August 19th with a rain date if August 20th, 2023, and a Donut Derby Bicycle Event to be held on September 4th, 2023, at the request of Lehigh Wheelmen Association. Seconded by Supervisor Brunell. Motion passed unanimously.

IX. BOARD AND STAFF REPORTS

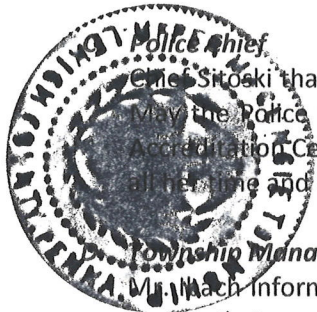
A. Treasurer

The total bills from all funds for July 2023 was \$3,416,929.34. Further details appear in the July Treasurer’s Report.

Motion by Chairman Ghai to pay the bills for July 2023 in the amount of \$3,416,929.34. Seconded by Supervisor Brunell. The motion passed unanimously.

B. Township Secretary

Ms. Vazquez mentioned that there were two Executive Sessions held. The first was on July 27th, 2023, at 1:00 p.m. and the topic discussed was land acquisition. The second Session was on August 3rd, 2023, at 5:30 p.m. and the topic was the Collective Bargaining Agreement.



Chief Sitoski thanked everyone involved in contributing to the success of National Night Out. In July the Police went through the accreditation process, and since have been awarded a new Accreditation Certificate for the next three years. Chief Sitoski wanted to thank Ms. Keri Diehl for all her time and hard work that was put into obtaining this certification.

Township Manager

Mr. Wach informed the Board that Parkland School District collects our Local Services Tax, the person that occupies this position is retiring and the School District has determined that they will not be filling this position. We will be obtaining proposals for a third party to fill this position and present to the Board for approval in the upcoming months.

X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Mr. Jeff Kocher, of Adams Road, requested that the Police Department place the Speed Monitoring Trailer intermittently on this road for enforcement, as this device reduced occurrences of speeding along this road.

XI. ADJOURNMENT

There being no other business, **Chairman Ghai made a motion to adjourn the meeting at 9:12 p.m. Seconded by Supervisor Brunell. The motion passed unanimously.**

Submitted by:

Jazmin Vazquez
Township Secretary