

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 April 4, 2024, at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were Jeff Fleischaker, Chairman; Sunny Ghai, Vice-Chairman; 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; Cory Reader Lieutenant, UMLPD; Peter Christ, Director, Bureau of Fire; Dave Alban, Township Engineer; Scott Faust, Public Works Director; Bruce Koller, Finance Director; Michelle Souls, Assistant Finance Director; and Emily Crosby-Piszczek, Recreation Supervisor.

Chairman Fleischaker 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

Commissioner Christ requested that a motion be added to the agenda to authorize the Township Manager to sign a letter to PennDOT recognizing Hincapie LLC event will be holding an event on June 1st in the Township.

Motion by Supervisor Brunell to add a motion to discuss the Hincapie LLC event that will be held in the Township. Seconded by Chairman Fleischaker. Motion passed unanimously.

III. MINUTES & FINANCIALS

A. *Minutes – March 7, 2024*

B. *Financials – March 2024*

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

Motion by Chairman Fleischaker to dispense with the reading of meeting minutes from the General Business Meeting held on March 7, 2024, and approve as submitted, and authorize the payment of the bills for March 2024 in the amount of \$2,846,241.63. Seconded by Supervisor Brunell. The motion passed unanimously.

IV. PRESENTATIONS

A. *Western Lehigh Chamber of Commerce*

Ms. Hayden Rinde of the Western Lehigh Chamber thanked the Township for being a member of the Chamber. She also spoke about their upcoming event on May 5, 2024, Paws at the Park that will be held at Grange Park.

Motion by Supervisor Brunell to authorize the Western Lehigh Chamber of Commerce Fundraising Event, Paws at the Park, on May 5th, 2024, at Grange Park. Seconded by Chairman Fleischaker. Motion passed unanimously.

B. *ArtsQuest*

Mr. Ryan Hill and Jacob Bodai presented the Spring/Summer events that will be held by ArtsQuest at Grange. They mentioned that this year there will be two concert weekends and SangriaFest will be back for another year.

Motion by Vice-Chairman Ghai to authorize ArtsQuest Special Event Permit requests for Concerts on the Grange 1 (May 10th & 11th), SangriaFest (June 15th), and Concerts on the Grange 2 (July 12th & 13th) all to be held at Grange Park. Seconded By Chairman Fleischaker. Motion passed unanimously.

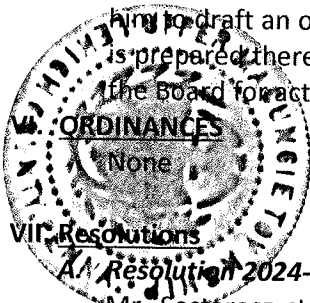
V. DISCUSSIONS & UPDATES

A. *Community Center Update*

Chairman Fleischaker provided a brief update on the status of the future Community Center. He mentioned that there has been a lot of fundraising efforts that have been made by the Upper Macungie Township Community Fund Board.

B. *Noise Ordinance – Board Feedback*

The Board held a discussion on the information that was received at the Noise Ordinance Workshop that was held on March 26th, 2024. Vice-Chairman Ghai stated that he had mixed feelings with the Ordinance from New Jersey as it may be difficult to enforce. He also stated that he would be comfortable starting at a level of 55 decibels, this is a level that does not interfere with speech or health. He is also willing to have that number adjusted if it is reasonable. The ordinance when drafted should be hybrid and require multiple complaints on the same issue for it to be enforceable. Supervisor Brunell thanked Township Staff and Consultants for all the work that was done to prepare for the workshop. He understands that sound is complicated to understand and measure. The number of complaints that have been received are not many when compared to our population. He is also in agreement that the ordinance once drafted should be a stand-alone ordinance that is not attached to the Zoning Ordinance. Supervisor Brunell is comfortable with maintaining the current levels that are in our ordinance as it allows businesses to work during the day while those levels drop in the evenings. Chairman Fleischaker stated that he would like to see our ordinance mirror some of the sections, that were cited, from the sample ordinance that was provided from New Jersey. It was stated that he believes that a daytime level of 65 decibels during the day and 50 decibels at night would be reasonable numbers. He would also like to see section that would allow for a mitigation period to allow residents and businesses to come into compliance prior to moving on with enforcement action. He mentioned that as this will be a stand-alone ordinance, he would like to include language in the Zoning Ordinance that would allow for special exceptions and conditional use applications. The Board decided to provide Solicitor Schantz with the sample Noise Ordinances and supporting documentation needed for him to draft an ordinance and allow him to use his judgement on enforceability. Once the draft is prepared there will be another Public Hearing to discuss the ordinance prior to coming before the Board for action, this will be advertised to ensure public participation in the process.



Resolution 2024-14 – Docket #2376 – ATAS Building Expansion, 6642 Grant Way

Mr. Sostárecz stated ATAS International filed a Conditional Use Request in January for their currently existing facility at 6642 Grant Way. The Planning Commission recommended approval of this project at their February 21st, 2024, meeting. There was a Public Hearing that was held on March 12th regarding this matter where testimony, exhibits, and comments were entered into the record. There were no objectors present at the Public Hearing on this matter. The applicant agreed to a condition of limiting the number of trucks that would be coming in and out of the facility to sixty (60) truck trips in and out of the facility.

Motion by Chairman Fleischaker to adopt Resolution 2024-14, approving the conditional use application for ATAS Building Expansion, 6642 Grant Way with the condition of truck traffic as discussed with the applicant and will be finalized by counsel. Seconded by Supervisor Brunell. Motion passed unanimously.

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B. Resolution 2024-15 – Docket #2349 – Fogelsville Elementary School Parking Lot & Driveway Improvements, 312 PA Route 100 – Final Land Development Plan

Mr. Sostarecz stated that the applicant is seeking Final Land Development Plan Approval for modification to the driveway, access ways, and parking areas at Fogelsville Elementary School. The preliminary plan was reviewed by the Planning Commission and approved by the Board with conditions at the General Business Meeting Held on January 2, 2024. This project is now before the Board for Final Land Development Plan Approval.

Motion by Chairman Fleischaker to adopt Resolution 2024-15, granting Revised Final Land Development Plan Approval to Docket #2349 – Fogelsville Elementary Parking Lot & Driveway Improvements, as well as a waiver request number 3, all conditioned upon the Engineer’s Review Letter dated March 22, 2024, and Zoning Officer’s Review Letter dated March 22, 2024. Seconded by Supervisor Brunell. The motion passed unanimously.

C. Resolution 2024-16 – Docket #2304B – Trexler Point – North, West, & South Sections, Hamilton Boulevard & Weilers Road – Revised Final Land Development Plan

Mr. Sostarecz mentioned that the applicant is proposing the construction of 128 townhouse-style dwelling units along with associated stormwater management, public sewer, and other utility improvements. The Board approved the Final Plan at their meeting at their April 2023 meeting and is currently under construction. The revised plans have been updated to match the plans that were being used for construction. The changes impacted water, sanitary sewer, and stormwater.

Motion by Chairman Fleischaker to adopt Resolution #2024-16, granting Revised Final Land Development Plan Approval to Docket #2304B – Trexler Point North, West & South Sections, conditioned upon the Engineer’s Review Letter dated March 22, 2024, and Zoning Officer’s Review Letter dated March 22, 2024. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

D. Resolution 2024-17 – Docket #2344 – Americold Building Expansion, 7150 Ambassador Drive – Preliminary Land Development Plan

Mr. Sostarecz stated that the applicant is proposing to expand the existing warehouse by an additional 326,842 square feet, with a 3,720-foot office addition, as well as associated site improvements.

Motion by Supervisor Brunell to adopt Resolution #2024-17, granting Preliminary Land Development Plan Approval to Docket #2344 – Americold Expansion, as well as waiver request number 1 and 2, all conditioned upon the Engineer’s Review Letter dated March 22, 2024, and the Zoning Officer’s Review Letter dated March 22, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

E. Resolution 2024-18 – Docket #2188 – - Hale Trailer, 5274 Oakview Drive – Land Development Approval Extension

Mr. Sostarecz stated Hale trailer presented a plan on June 2, 2016, and was approved at that time by the Board. The agreement was not signed and drafted until April 1st, 2021. This agreement provided with a 60-day window from the time of approval, this only allowed for two months before the plan was set to expire. The process that is followed now allows for a 60-month construction period from the date that the agreement is signed. There are no waivers or changes that would be needed, Township Staff and Consultants recommend that this project be extended to April 30th, 2027.

Motion by Chairman Fleischaker to pass Resolution #2024-18, confirming and ratifying the approval granted through the adoption of Resolution 2016-25 on June 2, 2016, by granting an extension until April 30, 2027, subject to the same terms and conditions of Resolution

2016-25 with the additional condition that a new cost estimate be prepared and approved. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

F. Resolution 2024-19 – Recognizing Local Government Week

Ms. Vazquez stated that the Pennsylvania General Assembly has designated Local Government Week to be held from April 8th – 14th, 2024. She mentioned that Local Government Week focuses the attention on the need for strong, independent, and active local governments. The Township will be hosting an Open House Event on Wednesday, April 10th from 4:00 p.m. – 6:00 p.m. where there will be representatives from each department providing information on what their roles are in the Township.

Motion by Supervisor Brunell to adopt Resolution #2024-19, recognizing Local Government Week from April 8th – 14th, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

VIII. Motions

A. Appointing Haikeem Nelson to the Planning Commission

Mr. Sostarecz stated Mr. Nelson was interviewed by Township Staff and found to be a good fit for the Planning Commission and the Township. He will be filling an unexpired term ending December 31, 2027.

Motion by Supervisor Brunell to appoint Haikeem Nelson to the Upper Macungie Township Planning Commission, filling a vacancy with an expire term ending December 31, 2027. Seconded by Chairman Fleischaker. Motion passed unanimously.

B. Appointing Peter Grodziak to the Zoning Hearing Board

Mr. Sostarecz stated Mr. Grodziak has shown interest in volunteering his time to be a member of the Township's Zoning Hearing Board. After an interview with Township Staff it is being recommended that he be appointed to the Zoning Hearing Board to fill an unexpired term ending on December 31, 2028.

Motion by Supervisor Brunell to appoint Peter Grodziak to the Upper Macungie Township Zoning Hearing Board, filling a vacancy with an unexpired term ending December 31, 2028. Seconded by Chairman Fleischaker. Motion passed unanimously.

C. Authorizing a Repeal of the Mixed-Use Ordinance

Mr. Sostarecz stated that a Mixed-Use Ordinance was adopted in 2022, over the past two years there have been very few applications that have been received that attempt to take advantage of the Ordinance. He stated that with the rewrite of the Saldo that will be happening in the next few months, the Staff is recommending that Ordinance 2022-04 be repealed in its entirety except for the definitions that are mentioned.

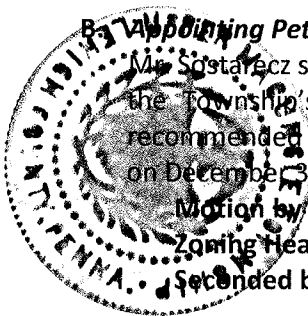
Motion by Chairman Fleischaker to authorize the advertisement of an ordinance repealing Ordinance 2022-04 – Mixed-Use Overlay, and a Public Hearing to be scheduled for Thursday, May 2, 2024, at 6:45 p.m. Seconded by Supervisor Brunell. Motion passed unanimously.

D. Authorizing the Renewal of Lawn Mowing Contract with All American Property Maintenance

Mr. Faust stated that All American Property Maintenance would like to renew the Lawn Mowing Contract. This would be year two of three. They have also agreed to hold their price from the original contract.

Motion by Vice-Chairman Ghai to authorize the renewal of the 2023 Lawn Mowing Contract with All American Property Maintenance at a cost of \$11,934.00. Seconded by Chairman Fleischaker. Motion passed unanimously.

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E. Awarding Bid for Lawn Mowing Contract

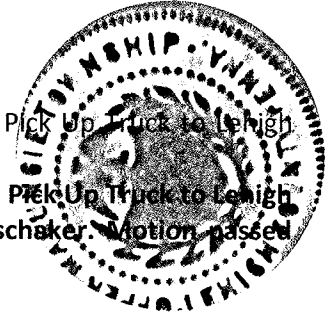
Mr. Faust stated that there were three bids that were received, and he is recommending that the contract be awarded to Pennsylvania Lawn & Landscaping, LLC as the low bidder at a cost of \$16,651.08.

Motion by Chairman Fleischaker to award bid for the 2024 Retention Pond Lawn Mowing Contract to Pennsylvania Lawn & Landscaping, LLC at a cost of \$16,651.08. Seconded by Supervisor Brunell. Motion passed unanimously.

F. Authorizing the Sale of a 2017 Ford Pick Up Truck to Lehigh Township

Mr. Faust requested that the Board authorize the sale of a 2017 Ford Pick Up Truck to Lehigh Township in the amount of \$31,295.00.

Motion by Vice-Chairman Ghai to authorize the sale of a 2017 Ford Pick Up Truck to Lehigh Township at a price of \$31,295.00. Seconded by Chairman Fleischaker. Motion passed unanimously.



G. Authorizing Fire Police Assistance for the St. Luke's ½ Marathon

Commissioner Christ requested that the Board grant authorization to the Fire Police to provide traffic control assistance for the St. Luke's ½ Marathon, to be held on April 28th, 2024, at the request of the Allentown Police Department.

Motion by Chairman Fleischaker to authorize Fire Police Assistance for traffic control for the St. Luke's ½ Marathon in Allentown on April 28th, 2024, at the request of the Allentown Police Department. Seconded by Supervisor Brunell. Motion passed unanimously.

H. Authorizing Township Manager to Sign Letter Authorizing Grand Fondo Hincapie Event to be held in the Township.

Mr. Christ stated that Hincapie Events LLC. has requested a letter from the Township acknowledging that the event will be held in the Township on June 1st, 2024. This letter is required by PennDOT to obtain their authorization.

Motion by Chairman Fleischaker to authorize the Township Manager to sign a letter to PennDOT indicating our approval of a bicycle ride from Hincapie Events, LLC that runs through our Township. Seconded by Supervisor Brunell. Motion passes unanimously.

I. Authorizing the Chief of Police to Sign a Memorandum of Understanding with the County of Lehigh, Emergency Response Team

Lieutenant Reader stated that there was a previous Memorandum that was signed, but due to an update in the name from Mert to ERT, they are requesting authorization to allow the Chief of Police to sign the updated Memorandum of Understanding.

Motion by Supervisor Brunell to authorize the Chief of Police to Sign a Memorandum of Understanding with the County of Lehigh for a Mutual Aid Compact for the Lehigh County Emergency Response Team. Seconded by Chairman Fleischaker. Motion passed unanimously.

J. Authorizing the Township Secretary to Vote on the 2024 PSATS Resolutions, Based on the Executive Director Memo Dated March 11th, 2024

Vice-Chairman Ghai stated that he would like to exclude Resolution 24-44 as the recommendation of the Executive Director is to approve and recommends that the voting delegate vote to reject this motion.

Motion by Supervisor Brunell to support the PSATS 2024 proposed Resolution with the exception of Resolution 24-44 and authorizing the Township Secretary to vote on Behalf of

the Township based on the Executive Director's Memo dated March 11th, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

IX. BOARD AND STAFF REPORTS

A. Upper Macungie Township Police

Lieutenant Reader mentioned that Officer Josh Forrester took a test with the Accreditation Commission for the Traffic Accident Reconstructionist, this is a very involved all day test. The Officer has received the results and has passed, the Township will now have a certified Accident Reconstructionist in house that will be able to provide his services. He is one of four Municipal Police Officers in the Commonwealth that carries this certification.

B. Finance Department

Mr. Koller mentioned that the Township will be holding an Electronic Recycling Event that will be held on May 4th, 2024, from 9:00 a.m. to 1:00 p.m. Chairman Fleischaker also took a moment to congratulate Mr. Koller on being an awarded member of Municipal Government for his outstanding service to the community.

C. Public Works

Mr. Faust stated that during the weekends in the month of May, Public Works will be providing mulch loading from 9:00 a.m. to 1:00 p.m.

D. Fire Department

Commissioner Christ stated that ISO has completed their analysis of the Structural Fire suppression delivery for the Township, and we have maintained a Class II rating.

E. Township Secretary

Ms. Vazquez stated that there were Executive Sessions that were held on March 11, 2024, at 7:00 p.m. where the topic discussed was legal matters and on March 26, and April 4, 2024, where the topic discussed was the Collective Bargaining Agreement. She went on to mention the Open House that will be held on April 10th, 2024, from 4:00 p.m. to 6:00 p.m. at the Municipal Building. She also encouraged residents to sign up for the latest news on the Townships Website at Uppermac.org.

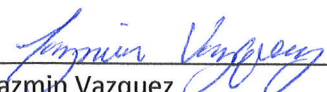
X. PUBLIC COMMENT/COURTESY OF THE FLOOR

None

XI. ADJOURNMENT

There being no other business, Supervisor Brunell made a motion to adjourn the meeting at 9:08 p.m. Seconded by Chairman Fleischaker. The motion passed unanimously.

Submitted by:



Jazmin Vazquez
Township Secretary

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