

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 2, 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; Micheal Sitoski, Chief, UMPD; 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.

Chairman Fleischaker asked for a moment of silence to reflect upon and remember Mr. John Landis, who was a member of our community and served as a volunteer on multiple committees in the Township.

II. ADDITIONS/DELETIONS TO THE AGENDA

None

III. MINUTES & FINANCIALS

A. *Minutes – March 26, 2024 & April 4, 2024*

B. *Financials – April 2024*

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

Motion by Supervisor Brunell to dispense with the reading of meeting minutes from the Noise Ordinance Workshop held on March 26, 2024 & the General Business Meeting held on April 4, 2024, and approve as submitted, and authorize the payment of the bills for April 2024 in the amount of \$3,420,534.81. Seconded by Chairman Fleischaker. The motion passed unanimously.

IV. PRESENTATIONS

A. *Community Center Financing Options - PFM*

Mr. Jamie Schlesinger and Josh Martinez from PFM provided a high-level overview on what options are available for the financing of the community center if their services are needed.

V. DISCUSSIONS & UPDATES

None

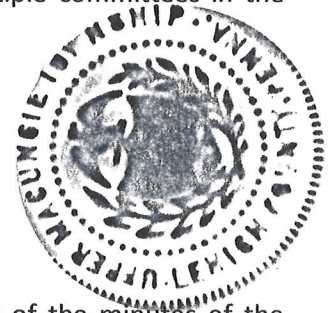
VI. ORDINANCES

A. *Ordinance #2024-04 – Police Pension Plan Ordinance Update*

Mr. Ibach stated that this was a housekeeping item, and the update was being made to align years of service to the years reported for the Pension Plan.

Motion by Chairman Fleischaker to adopt Ordinance #2024-04, amending the Township's Pension Ordinance for compliance with the current approved Collective Bargaining Agreement. Seconded by Supervisor Brunell. Motion passed unanimously.

B. *Ordinance #2024-05 – Repeal of Mixed-Use Ordinance*



Mr. Sostarecz stated that a public Hearing was held prior to the General Business Meeting and there was no public present at the meeting to provide comment. Ordinance #2024-05 would repeal Ordinance #2022-04 except for the definitions section.

Motion by Supervisor Brunell to adopt Ordinance #2024-05, repealing certain portions of Ordinance #2022-04. Seconded by Chairman Fleischaker. Motion passed unanimously.

VII. Resolutions

A. Resolution 2024-20 - Inter-Municipal Liquor License Transfer Request – Top Star LLC, 7739 Hamilton Boulevard

Mr. Sostarecz stated a public hearing was held prior to the General Business Meeting at 6:15 p.m. to consider the request from Top Star LLC, to transfer a liquor license from Whitehall Township to Upper Macungie Township. The record was closed and there were no objectors present at the meeting.

Motion by Supervisor Brunell to adopt Resolution 2024-20, authorizing the Inter-Municipal transfer of Liquor License #R-12037 from Master Rentals and Sales Inc., 3665 MacArthur Road, Whitehall Township to Upper Macungie Township for Top Star LLC, 7739 Hamilton Boulevard. Seconded by Chairman Fleischaker. Motion passed unanimously.

B. Resolution 2024-21 – Inter-Municipal Signal Agreement

Mr. Ibach stated that this Resolution is needed as part of the application that was submitted by PennDOT to receive federal funding for the SR 309 & Tilghman Street Interchange Project. One of the stipulations is that all affected municipalities must agree to manage the traffic signals as one system. He also stated that if the federal funding is not granted there will be no need for the multi-jurisdictional signal system.

Motion by Chairman Fleischaker to adopt Resolution 2024-21, authorizing a Cooperative Memorandum of Agreement between South Whitehall Township and the City of Allentown for the purposes of creating a Multi-jurisdictional Signal System as part of the SR 309 and Tilghman Street Interchange Project. Seconded by Supervisor Brunell. Motion passed unanimously.

Resolution 2024-22 – Recognizing Peace Officers Memorial Day

Chief Sioski stated that every year May 15th has been designated as Police Officers Memorial Day, and the calendar week where it falls as Police Week, to honor the Federal, State, and Municipal Officers that have been killed or disabled in the line of duty.

Motion by Chairman Fleischaker to adopt Resolution #2024-22, recognizing Peace Officers Memorial Day and Police Week. Seconded Vice-Chairman Sunny Ghai. Motion passed unanimously.

D. Resolution 2024-23 – Docket #2344 – Americold Building Expansion, 7150 Ambassador Drive – Preliminary Land Development Plan – Sewer Planning Module

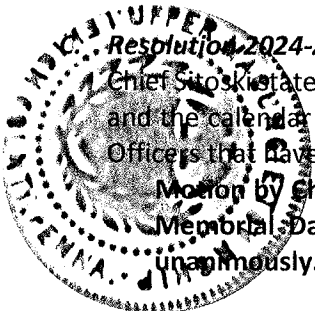
Mr. Sostarecz stated that this is an administrative item. The applicant previously appeared before the Board and have since completed their Sewer Planning Module to be submitted to the DEP for approval. The Township Engineer has reviewed the plan and agrees that the plan is ready for submission.

Motion by Chairman Fleischaker to adopt Resolution #2024-23, approving the submission of a Sewage Planning Module for Docket #2344 – Americold Building Expansion. Seconded by Supervisor Brunell. Motion passed unanimously.

VIII. Motions

A. Awarding 2024 Roadway Maintenance Projects

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Mr. Alban stated that the projects were advertised and opened using the PennBID System. There were two (2) bidders for the Single Mirco Surfacing, Double Mirco Surfacing and the Crackseal Project and one (1) bidder for the High-Performance Fog Seal. The low bid was received from Asphalt Maintenance Solutions and staff is recommending that this be awarded.

Motion by Supervisor Brunell to award the 2024 Roadway Maintenance Projects to Asphalt Maintenance Solutions LLC., as follows: Double Micro Surfacing Project in the amount of \$475,736.20, High Performance Chip Seal/Fog Seal Project in the amount of \$185,108.50, Single Micro Surfacing Project in the amount of \$282,406.88, and Crack Seal Project in the amount of \$50,070.00. Seconded by Chairman Fleischaker. Motion passed unanimously.

B. Awarding Inter-Municipal Bid for Traffic Striping Contract

Mr. Faust stated that the Lehigh Valley Cooperative Purchasing Council has recommended awarding the Traffic Striping Contract to A-1 Traffic Control Products at an approximate cost of \$62,000.00, pending final measured quantities.

Motion by Chairman Fleischaker to award the 2024 LVPCPC Traffic Striping Contract to A-1 Traffic Control Products in the amount of \$333,367.15, cost sharing for Upper Macungie Township will be approximately \$62,000.00, pending final measured quantities. Seconded by Supervisor Brunell. Motion passed unanimously.

C. Awarding Bid for Grange Road Roundabout Project

Mr. Alban stated that four (4) bids were received via the PennBID system and were opened on April 17, 2024, the low bid was received from G&B Construction Group in the amount of \$329,035.45. Staff recommended that the bid be awarded to G&B Construction Group.

Motion by Chairman Fleischaker to award bid in the amount of \$329,402.14 to G&B Construction Group, Inc. Seconded by Supervisor Brunell. Motion passed unanimously.

D. Awarding Bid for 2024 Fuel Contract

Mr. Koller stated that four (4) bids were published by the LVPCPC for the Gasoline 10% Ethanol and B2 Diesel and received three (3) bidders. The contract terms will be from July 1, 2024 through June 30, 2025. Staff is recommending awarding the bid to Ports Petroleum of Wooster, OH.

Motion by Vice-Chairman Ghai to award the 2024 LVPCPC Gasoline and Diesel Fuel Bid to Petroleum of Wooster, OH. Seconded by Chairman Fleischaker. Motion passed unanimously.



E. Awarding Bid for the 2024 Traffic Light Maintenance Contract

Mr. Faust stated that a letter was received from Telco who is our current provider for Traffic Light Maintenance, stating that they will no longer be able to provide us with their services. The Township has received a quote from Signal Service in the amount of \$15,600.00 for preventative maintenance, with additional costs for response calls. Staff is recommending that the contract be awarded to Signal Service.

Motion by Chairman Fleischaker to award the Traffic Light Maintenance Contract to Signal Service, Inc. in the amount of \$15,600.00 for preventative maintenance. Seconded by Supervisor Brunell. Motion passed unanimously.

F. Awarding Bids for Sale of Used Township Vehicles

Mr. Faust requested that the Board authorize the awarding of bids for the sale of used township vehicles that were placed on PennBID from April 17, 2024, through May 1, 2024. Through these sales the Township will receive the amount of \$25,640.00.

Motion by Chairman Fleischaker to authorize the sale of used equipment as follows: 2018 Dodge Charger to Zack Shelly at a price of \$7,300.00, 2018 Dodge Charger to Stephen Reip

at a price of \$5,900.00, 2020 X Mark Lazer 60" Mower to Justin O'Conner at a price of \$5,700.00, 2020 X Mark Lazer 72" Mower to Justion O'Conner at a price of \$6,600.00, and an Air Line Paint Striper to Stanley Cupp at a price of \$140.00. Seconded by Supervisor Brunell. Motion passed unanimously.

G. *Appointing New General Labor Counsel – David Steckel – Fitzpatrick Lentz & Bubba, P.C.*

Mr. Ibach stated that our current General Labor Counsel, Mr. Thomas Heimbach, is retiring and the Township needs to update the attorney information, since Mr. Heimbach was appointed at the Organizational Meeting. Staff recommend that Mr. David Steckel, Esq. from Fitzpatrick Lentz & Bubba be appointed as General Labor Counsel effective May 3, 2024.

Motion by Supervisor Brunell to appoint David Steckel, Esq., from Fitzpatrick Lentz & Bubba, P.C. as the General Labor Counsel, effective May 3, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

H. *Authorizing the Ratification of the Tentative Collective Bargaining Agreement with the Public Works Union*

Mr. Ibach mentioned that the current Collective Bargaining Agreement expired on April 30, 2024, however a tentative agreement was approved by the bargaining unit on April 8, 2024. This is now up for action before the Board.

Motion by Vice-Chairman Ghai to approve the Collective Bargaining Agreement with the International Brotherhood of Electrical Workers Local 375, representing the Public Works Department and Upper Macungie Township with an effective date of May 1, 2024. Seconded by Supervisor Brunell. Motion passed unanimously.

I. *Authorizing an Update to the Employee Handbook – Health Care Contributions*

Mr. Ibach mentioned that the update to the handbook will be to align health care contributions with all other departments, and to be more comparable with surrounding municipalities.

Motion by Vice-Chairman Ghai to update the Health Care Contributions Section of the Employee Handbook. Seconded by Chairman Fleischaker. Motion passed unanimously.

J. *Authorizing the Township Manager to Sign a Letter of Consent of Pending Change of Control and Assignment of the Township's Investment Management Agreement*

Mr. Koller stated that prior to the announcement of the purchase, Truist Financial Corporation was Sterling's parent organization. Sterling provided investment advisory services for our Sewer Reserve Fund and Non-Uniform Defined Benefit Retirement Plan. Staff is requesting that the motion be passed as presented.

Motion by Vice-Chairman Ghai to authorize the Township Manager to sign a letter of consent approving the assignment of the Investment Advisory Agreement from Truist Financial Corporation to Guadian Capital Group Limited. Seconded by Chairman Fleischaker, Motion passed unanimously.

K. *Authorizing the Advertisement of a Public Hearing for the Vacation of Tercha Road*

Mr. Ibach stated that Tercha Road is an unimproved road in the west end of the Township off Main Street in Fogelsville and extends into Weisenberg Township. Weisenberg Township has already vacated the section of the road that is in their Township. The portion of the road that will be vacated by Upper Macungie Township is approximately 150 feet.

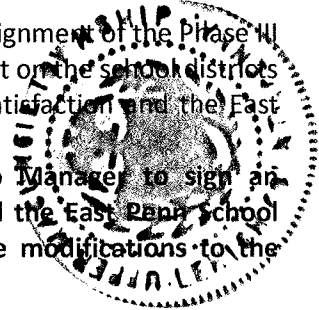
Motion by Chairman Fleischaker to authorize the advertisement of a public hearing for the vacation of Tercha Road to be held on June 6, 2024, at 7:00 p.m. Seconded by Supervisor Brunell. Motion passed unanimously.

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L. Authorizing the Township Manager to Sign a Temporary Construction Easement with East Penn School District

Mr. Ibach mentioned that this temporary easement will allow for the realignment of the Phase III Trunkline. This realignment will improve capacity and reduce the footprint on the school district's property. The Township Solicitor has reviewed this agreement to his satisfaction and the East Penn School District has approved the agreement.

Motion by Chairman Fleischaker to authorize the Township Manager to sign an easement agreement between Upper Macungie Township and the East Penn School District providing a temporary construction easement for the modifications to the Upper Macungie Township Phase III Trunk Line.



M. Appointing Simone Collins for RFP 2024-03.01; Comprehensive Parks, Recreation, and Open Space Plan

Mr. Sostarecz stated that the Township received five (5) responses to RFP 2024-03.01 for the Comprehensive Parks, Recreation, and Open Space Plan, these ranged from a low bid of \$82,370.00 to a high bid of \$158,380.00. The selection committee interviewed the top two (2) consultants and unanimously selected Simone Collins as the most qualified consultant.

Motion by Supervisor Brunell to appoint Simone Collins as consultants for the Parks, Recreation, and Open Space Plan in the amount of \$109,999.00. Seconded by Chairman Fleischaker. Motion passed unanimously.

N. Authorizing Extension of Time Limitations for Recording of Docket #2326 Carriage East Residential Development, 5137 Schantz Road

Mr. Sostarecz mentioned that Carriage East received initial approval on February 1, 2024, making their recording deadline May 31, 2024. The applicant has been progressing towards recording, but they will need an extension of time that will run through September 28, 2024.

Motion by Chairman Fleischaker to authorize the extension of time limitations for the recording of Docket #2326 Carriage East Residential Development, 5137 Schantz Road. Seconded by Supervisor Brunell. Motion passed unanimously.

O. Authorizing Chief of Police to Sign a Memorandum of Understanding with Atlanta-Carolinas High Intensity Drug Trafficking Area

Chief Sitoski stated that this MOU is due to Lehigh County being included in the Liberty Mid-Atlantic HIDTA Region. The Atlanta-Carolinas HIDTA is the location that the server is held for the whole east coast. The purpose of this agreement will be to help reduce drug trafficking and related violent crimes in Southeastern Pennsylvania.

Motion by Chairman Fleischaker to authorize the Chief of Police to Sign a Memorandum of Understanding with the Atlanta-Carolinas High Intensity Drug Trafficking Area. Seconded by Supervisor Brunell. Motion passed unanimously.

P. Authorizing Fire Police Assistance for the Gran Fondo Hincapie Bicycle Ride

Commissioner Christ stated that Grand Fondo Hincapie LLC, will be holding a bicycle ride that runs through multiple intersections of the Townships for the third consecutive year without any incident. This event will be held on June 1, 2024.

Motion by Supervisor Brunell to authorize Fire Police Assistance to aid with traffic control at various intersections in Upper Macungie Township for the bicycle ride Grand Fondo Hincapie, June 1, 2024, at the request of Hincapie Events, LLC. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

IX. BOARD AND STAFF REPORTS

A. *Township Secretary*

Ms. Vazquez stated that there was an Executive Session that was held on May 2, 2024, at 5:00 p.m. where the topic discussed was legal matters.

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.

C. *Recreation Department*

Ms. Crosby-Piszczek stated that on May 11th, the Township will be hosting a Pickleball Tournament, Children’s Bike Rodeo, and finish the night off with a Concert at the Park hosted by Arts Quest.

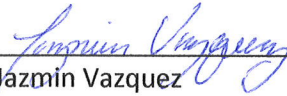
X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Mr. Jim Caffery stated his concerns with the construction of the Community Center, and wanted to mention that taxes should not be raised to finance this.

XI. ADJOURNMENT

There being no other business, **Chairman Fleischaker made a motion to adjourn the meeting at 8:50 p.m. Seconded by Vice-Chairman Ghai. The motion passed unanimously.**

Submitted by:



Jazmin Vazquez
Township Secretary

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