

b. Future of UMT Fire Protection

A high-level conversation was held on the future of fire protection in UMT that included the possibility of a hybrid model. Chairman Fleischaker recommended that each fire company delegate three representatives to participate in a committee that will meet monthly for six months working towards a plan for the future. This committee is a way to include all fire departments in any changes, planning or solutions that can affect the fire departments. Chiefs and Presidents should have the names of the selected committee members to present at the June 17, 2024, Chief's Meeting. Some of the goals of this committee will be to establish a timeline and set goals for fire protection in the future.

VI. PUBLIC COMMENT/COURTESY OF THE FLOOR

None

VII. ADJOURNMENT

There being no other business, **Vice-Chairman Ghai made a motion to adjourn the meeting at 8:42 p.m. Seconded by Chairman Fleischaker. The motion passed unanimously.**

Submitted by:



Jazmin Vazquez
Township Secretary





General Business Meeting
June 6, 2024

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 June 6, 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; Michael Sitoski, Chief UMTPD; Peter Christ, Commissioner, Bureau of Fire; Dave Alban, Township Engineer; Scott Faust, Public Works 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. PUBLIC HEARING

A. *Vacation of a Portion of Tercha Road*

Motion by Chairman Fleischaker to open the public hearing on the matter of the vacation of a portion of Tercha Road. Seconded by Supervisor Brunell. Motion passed unanimously.

Chairman Fleischaker stated that the hearing was regarding the vacation of a portion of Tercha Road located in Upper Macungie Township and that the Board will not take any action during the hearing; however, the Board is scheduled to take action during an agenda item later in the meeting. Solicitor Schantz mentioned that the hearing was advertised in the Parkland Press on May 22 and May 29, 2024, and notice was sent individually by USPS to adjoining property owners. There was no public comment on this matter.

Motion by Supervisor Brunell to close the public hearing on the matter of the vacation of a portion of Tercha Road. Seconded by Chairman Fleischaker. Motion passed unanimously.

III. ADDITIONS/DELETIONS TO THE AGENDA

NONE

IV. MINUTES & FINANCIALS

A. *Minutes – May 2, 2024, and May 28, 2024*

B. *Financials – May 2024*

Chairman Fleischaker stated that he would dispense with the reading of the minutes of the previous meeting unless there were any objections. Supervisor Brunell stated that the bills for the month of May were higher than usual, the reason for this is that bills for LCA were approximately two and a half million dollars.

Motion by Chairman Fleischaker to dispense with the reading of meeting minutes from the General Business Meeting held on March 7, 2024, and the Special Fire Meeting held on May 28, 2024, and approve as submitted, and authorize the payment of the bills for May 2024 in the amount of \$5,405,368.02. Seconded by Supervisor Brunell. Motion passed unanimously.

V. PRESENTATIONS

A. *2023 Audit Presentation – Buckno Lisicky*

Mr. Chris Betley from Buckno Lisicky & Company provided an overview of the 2023 Audit.

Motion by Chairman Fleischaker to accept the 2023 Motion as presented. Seconded by Supervisor Brunell. Motion passed unanimously.

B. *Community Center Presentation – Upper Macungie Township Community Fund*

Mr. Ibach provided background information on the creation of a 501c.3 to help raise private funding for the future construction of the Community Center for Upper Macungie Township. Ms.

Laura McHugh, Vice-Chairwoman of the Upper Macungie Township Community Fund (UMTCF), provided an update on the proposed community center, as well as a 3D presentation of the interior and the exterior of facilities. She mentioned that Lehigh Valley Health Network has signed on as our healthcare partner. Air Products, Jaindl, and Butz have also committed to sponsoring this project. Ms. McHugh stated that the UMTCF would like to hold a ceremonial groundbreaking in late summer 2024.

VI. DISCUSSIONS & UPDATES

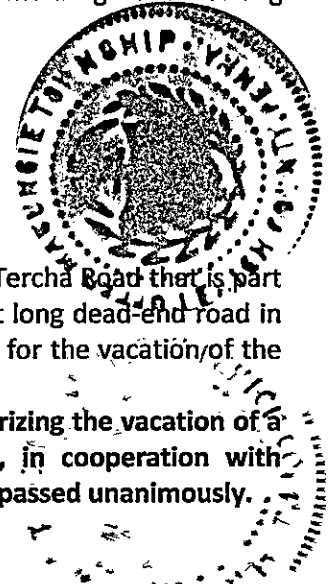
NONE

VII. ORDINANCES

A. Ordinance 2024-06 – Vacation of a Portion of Tercha Road

Mr. Ibach stated that Weisenberg Township has vacated the portion of Tercha Road that is part of their municipality, and that has left a one-hundred and six (106) foot long dead-end road in Upper Macungie Township. The adoption of this ordinance would allow for the vacation of the portion of Tercha Road located in the Township.

Motion by Supervisor Brunell to adopt Ordinance #2024-06, authorizing the vacation of a portion of Tercha Road located in Upper Macungie Township, in cooperation with Weisenberg Township. Seconded by Chairman Fleischaker. Motion passed unanimously.



VIII. RESOLUTIONS

A. Resolution 2024-26 – Docket #2376 – ATAS Building Expansion, 6642 Grant Way – Preliminary/Final Land Development Plan

Mr. Sostarecz stated ATAS International received Conditional Use Approval by the Upper Macungie Board of Supervisors on April 4, 2024. Conditional Preliminary/Final Plan Approval was recommended by the Planning Commission Meeting held on April 17, 2024. There was also a recommendation from the Planning Commission to approve waiver request numbers 1 and 4 and deferral of waiver request numbers 2 and 3.

Motion by Chairman Fleischaker to adopt Resolution 2024-26, granting Preliminary/Final Land Development Plan approval to Docket #2376, ATAS Building Expansion, including Waiver request numbers 1 and 4 and deferral of waiver request numbers 2 and 3, all conditioned upon the Engineer’s Review Letter dated May 23, 2024. Seconded by Supervisor Brunell. Motion passed unanimously.

B. Resolution 2024-27 – Docket #2357 – XPO Logistics Expansion – 7649 Penn Drive – Preliminary Land Development Plan

Mr. Sostarecz stated that this project is an existing legal nonconformity. The applicant received approval from the Zoning Hearing Board at their November 8, 2023, meeting to expand the existing nonconforming truck terminal use greater than 50%. Conditional Preliminary Plan approval was recommended by the Planning Commission on April 17, 2024, along with the approval of waiver request numbers 2, 4, 5, 6, 7, and 8, and approval of waiver request number 3 with conditions. Waiver request number 1 was denied that would allow for combined Preliminary/Final Land Development Plan approval.

Motion by Chairman Fleischaker to adopt Resolution 2024-27, granting Preliminary Land Development Plan approval to Docket #2357, XPO Logistics Expansion including approval of wavier request numbers 2, 3 with conditions and collaboration with the Planning Commission, 4, 5, 6, 7, and 8, and the denial of waiver request number 1, all conditioned upon the Township Engineer and Township Zoning Review Letters dated May 23, 2024 and May 21, 2024, respectively. Motion seconded by Supervisor Brunell. Motion passed unanimously.

C. Resolution 2024-28 – Docket #2317 – 1001 Glenlivet Drive Warehouse – Rescinding Plan Approval

Mr. Sostarecz mentioned that Conditional Preliminary/Final Land Development Plan was approved by Resolution #2023-08 on March 2, 2023. The conditions of approval required the applicant to provide plans and documents needed for the recording of the plan to the Township Engineer within 90 days. The developer failed to do so, and after an extension of 120 days was granted, they still failed to provide the required documents. A second extension was granted by the Board of Supervisors at their September 7, 2023, meeting with a final expiration date of January 26, 2024. The developer was able to provide some of the items needed for recording, though there are still two outstanding, both financial; their legal/engineering escrow deposit and their Financial Security to guarantee their public improvements. Attorney Frank D'Amore of Fitzpatrick-Lentz and Bubba, legal counsel for the applicant, requested that a final extension of 90 days be granted. He stated that if the applicant was unable to provide the remaining items needed for recording, they would waive their right to appeal the rescission of the plan approval. Mr. Issac Newman, Director of Development for the RDM Group agreed to these terms. Chairman Fleischaker recommended that Resolution #2024-28 be tabled to the September 5, 2024, Board of Supervisors meeting, and to add a motion granting an extension of time for the recording of plans to the July 3, 2024, meeting granting a 60-day extension of time.

Motion by Chairman Fleischaker to table Resolution #2024-28 – Docket #2317 to the September 5, 2024, Board of Supervisor's Meeting, and add a motion to the July 3, 2024, meeting, granting a 60-day extension of time. Seconded by Supervisor Brunell. Motion passed unanimously.

VIII. MOTIONS**A. Authorizing Alvin H. Butz to Advertise Bids for the Construction of the Community Center**

Mr. Ibach stated that the fund is confident that they are at a point where they can go out for bids for the construction of the Center and are requesting authorization from the Board to advertise the bidding process. This bid process will allow Butz to obtain an actual construction cost to move forward. This motion is only for the bid process and no money is being committed to this project at this time.

Motion by Supervisor Brunell to authorize Alvin H. Butz to advertise bids for the construction of the Community Center and authorize a ceremonial groundbreaking at the future site of the Community Center. Seconded by Chairman Fleischaker. Motion passed unanimously.

B. Authorizing Township Manager and Staff to Negotiate with Prospective Contributing Partners of the Community Center for Agreements Related to the Operations of the Center

Mr. Ibach stated that the Community Fund is soliciting donations for the Community Center and have available recognition level for varying levels of contributions; however, some donors may be requesting levels of recognition that would have an impact on how the center is operated. Those requests should be managed directly by the Township.

Motion by Chairman Fleischaker authorizing the Township Manager and Staff to negotiate with prospective contributing partners of the Community Center for agreements related to the operation of the Center. Seconded by Supervisor Brunell. Motion passed unanimously.

C. Rejection of Mill Creek (Phase III) Trunkline Sanitary Improvements Bid and Authorizing Re-Bidding Process

Mr. Ibach mentioned the Township received seven (7) bids for this project, but all of them were above the Township Engineer's estimate of \$275,000.00. The lowest bid was \$64,000.00 over the provided estimate. The Township plans to reduce the diameter size of the manholes and provide

an option for ductile iron pipe and rebid the project. The Engineer believes that these changes will bring the project closer to budget.

Motion by Vice-Chairman Ghai to reject all bids for the Mill Creek Road Sanitary Sewer Improvements Project and authorize Staff to rebid the project with a revised scope of work. Seconded by Chairman Fleischaker. Motion passed unanimously.

D. Awarding the 2024 Sanitary Sewer Manhole Bid

Mr. Ibach stated that this project is part of the Township's Source Remove Program (SRP) for I&I to comply with the PADEP approved interim Act 537 Plan. He also mentioned that the Township completes yearly inspections of sanitary sewer manholes for defects and I&I, manholes that require repairs are combined into a yearly package bid.

Motion by Vice-Chairman Ghai to award the 2024 Sanitary Sewer Manhole Rehabilitation Project Bid to the PIM Corporation, at a cost of \$297,550.00, as recommended by Keystone Consulting Engineers. Seconded by Chairman Fleischaker. Motion passed unanimously.

E. Rescinding Fuel Bid Contract – Ports Petroleum

Ms. Souls stated that the LVCPC recalled the bid award to Ports Petroleum as they could not meet the insurance requirements. The bid that was awarded by the Township in May would also have to be rescinded.

Motion by Chairman Fleischaker to rescind award of the 2024 LVCPC Gasoline and Diesel Fuel Bid to Ports Petroleum of Wooster, OH. Motion seconded by Supervisor Brunell. Motion passed unanimously.

F. Awarding 2024 Fuel Bid Contract – Sunoco, LLC

Ms. Souls stated that the LVCPC recommended awarding the 2024 Fuel Bid Contract to Sunoco, LLC of Fort Wayne, IN.

Motion by Supervisor Brunell to award the 2024 LVCPC Gasoline and Diesel Fuel Bid Contract to Sunoco, LLC of Fort Wayne, IN. Seconded by Chairman Fleischaker. Motion passed unanimously.

G. Authorizing the Sale of a 1996 Vermeer Chipper

Mr. Faust stated that the Township disposes of property by selling through public bidding or directly to other municipalities. West Brunswick Township has made an offer to purchase the chipper at a price of \$12,000.00.

Motion by Supervisor Brunell to authorize the sale of a 1996 Vermeer Chipper to West Brunswick Township at a price of \$12,000.00. Seconded by Chairman Fleischaker. Motion passed unanimously.

H. Authorizing the Sale of a 1995 Pierce Dash Pumper-Tanker

Commissioner Christ mentioned that this vehicle was replaced by the new tanker placed at Fogelsville Fire Department. Lasker Fire Department of North Carolina has placed a bid at a price of \$46,000.00 to purchase the vehicle As-Is. He also mentioned that payment will be received by the Township and the Township will make payment of \$3,220.00 which represents 7% of the total cost to Fireline Equipment for brokerage fees.

Motion by Chairman Fleischaker to authorize the sale of a 1995 Pierce Dash Pumper-Tanker to Lasker Volunteer Fire Department of North Carolina at a price of 46,000.00. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

I. Authorizing the Township Manager to Send Letter to PA State Representatives Opposing Draft Zoning Changes to Municipalities Planning Code

Mr. Sostarecz stated that the PA Municipalities Planning Code (MPC) regulates what local municipalities can regulate regarding Zoning and Subdivision and Land Development. Legislation has been proposed which would reduce local control of zoning by requiring that multi-family housing be a permitted use in areas zoned for commercial and that duplex, triplex, and quadplex housing be a permitted use in areas zoned for single family housing – both would only apply to municipalities with populations over 5,000.

Motion by Chairman Fleischaker to authorize the Township Manager to send a letter to PA State Representatives opposing House Bills 1976 and 2045 which would amend the Municipalities Planning Code. Seconded by Supervisor Brunell. Motion passed unanimously.

J. Authorizing Fire Police Assistance for Victory in the Valley

Commissioner Christ mentioned that Victory Junction Camp is a camp for children with serious illness and will be holding their 14th edition of their charitable bike ride to be held on June 23, 2024. They have requested Fire Police assistance to help at various intersections within the Township.

Motion by Supervisor Brunell to authorize Fire Police Assistance to aid with traffic control at various intersections in Upper Macungie Township for a charity motorcycle ride Victory in the Valley to be held on June 23, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

IX. BOARD AND STAFF REPORTS

A. Upper Macungie Township Police

Chief Sitoski mentioned that Officer Riley Miller has completed DRE training which included over two-weeks of classroom hours in physiology, vital signs, standardized field sobriety testing (SFST), as well as extensive instruction on each of the seven (7) drug categories in the DECP. The Drug Evaluation and Classification Program (DECP) focuses on training police officers to recognize when an individual has been driving under the influence of drugs and to identify the type of drug causing impairment. Upon completion of their initial training, officers are certified as Drug Recognition Experts (DREs) and become far more effective in identifying drug impaired individuals.

B. Township Manager

Mr. Ibach stated that the township waste hauler Whitetail Disposal is currently in year four of a five-year contract. There is a possibility that they will not renew, and the Township will have to put this service out for bid.

C. Township Secretary

Ms. Vazquez stated that there was an Executive Session held prior to the meeting at 6:00 pm and the topic discussed was personnel. She went on to mention that the Communications Cloud Program has been launched by the Township to inform our residents and surrounding community members of the latest news related to the Township. The engagement rate for the current 736 subscribers is 86.1%. She encouraged residents to subscribe using the uppermac.org website.

D. Supervisors

160245

General Business Meeting
June 6, 2024

Chairman Fleischaker thanked staff for their hard work and mentioned that the Township has received a third-place award for Outstanding Efforts and Achievements in Citizen Communication from PSATS.

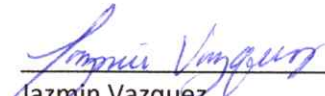
X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Denise Zahn, township resident, asked questions related to zoning issues with her property.

XI. ADJOURNMENT

There being no other business, **Supervisor Brunell made a motion to adjourn the meeting at 9:14 p.m. Seconded by Chairman Fleischaker. The motion passed unanimously.**

Submitted by:



Jazmin Vazquez
Township Secretary

