

**General Business Meeting
July 3, 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 July 3, 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; Bruce Koller, Finance Director; Michelle Souls, Assistant Finance Director; and Ryan Griffiths, Recreation Manager.

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

None

III. MINUTES & FINANCIALS

A. *Minutes – June 6, 2024*

B. *Financials – June 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 June 6, 2024, and approve as submitted, and authorize the payment of the bills for June 2024 in the amount of \$1,895,910.15. Seconded by Supervisor Brunell. The motion passed unanimously.

IV. PRESENTATIONS

None

V. DISCUSSIONS & UPDATES

None

VI. ORDINANCES

None

VII. RESOLUTIONS

A. *Resolution 2024-28 – Docket #2338 – Twin Ponds – 8739 Hamilton Boulevard – Preliminary/Final Land Development Plan*

Mr. Sostarecz stated that the applicant is proposing to construct a 132-unit garden style apartment complex comprised of 22 buildings, as well as a daycare facility and other associated site improvements. The Planning Commission recommended Conditional Preliminary/Final Plan Approval on May 15, 2024, as well as eleven (11) waivers and one (1) deferral with conditions. Vice-Chairman Ghai had concerns regarding the waiver for the installation of sidewalks along the property. Attorney Nate Fox was present and was able to address the concerns that were raised by Vice-Chairman Ghai.

Motion by Supervisor Brunell to adopt Resolution #2024-28, granting Conditional Preliminary/Final Plan Approval for Docket #2338 Twin Ponds, including approval of waiver request numbers 1-10, waiver request number 12 with conditions, and deferral of waiver number 11, all conditioned upon the comments found in the Township Engineer and Zoning



Reports dated June 26, 2024, and June 19, 2024, respectively. Seconded by Supervisor Brunell. Motion passed 2-1, Vice-Chairman Ghai – No.

B. Resolution 2024-29 – Docket #2338 – Twin Ponds – Sewage Facilities Planning Module

Mr. Sostarecz stated that this is an administrative item. The applicant has previously appeared before the Board and has 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 #2024-29, approving the submission of a Sewage Planning Module for Twin Ponds. Seconded by Supervisor Brunell. Motion passed 2-1, Vice-Chairman Ghai – No.

C. Resolution 2024-30 – Docket #2344 – Americold Expansion – 7150 Ambassador Drive – Final Land Development Plan

Mr. Sostarecz stated this project involves the expansion of the existing warehouse by an additional 326,842 square feet, with a 3,720 square foot office addition, as well as associated site improvements. The Board of Supervisors approved the Preliminary Land Development Plan on April 4, 2024, and is now ready for action on approval of the Final Land Development Plan.

Motion by Chairman Fleischaker to adopt Resolution #2024-30, granting Conditional Final Plan approval for Docket #2344 Americold Building Expansion, conditioned upon the comments found in the Township Engineer and Zoning Reports dated June 26, 2024, and June 19, 2024, respectively. Seconded by Supervisor Brunell. Motion passed unanimously.

D. Resolution 2024-31 – Docket #2371 – Robert Ehle Minor Subdivision – 6119 Haasadahl Road – Preliminary/Final Land Development Plan

Mr. Sostarecz stated that the project involves the subdivision of Lot 1 to create a second lot, Lot 2, which will contain the existing single-family dwelling along with the guest house. Lot 1 will contain the existing pole building along its north end. There is no additional development proposed on either lot at this time.

Motion by Supervisor Brunell to adopt Resolution #2024-31, granting Conditional Preliminary/Final Plan Approval for Docket #2371 Robert Ehle Minor Subdivision, including approval of waiver request numbers 1 through 5, all conditioned upon the Engineer's Review Letter dated June 26, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

E. Resolution 2024-32 – Docket #2381 – Grim's Orchard – Sewage Facilities Planning Module

Mr. Sostarecz stated that the applicant has submitted their Sewage Facilities Planning Module for review by the Township. The Township Engineer has reviewed that Plan and agrees that it is ready to be submitted to the DEP.

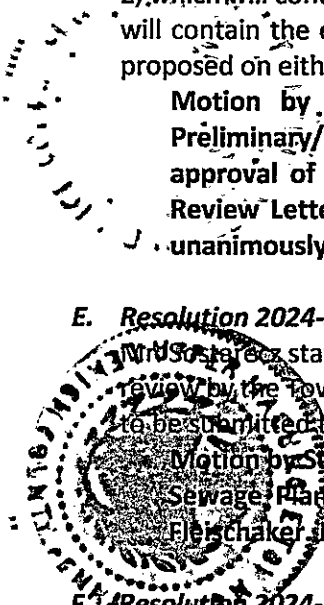
Motion by Supervisor Brunell to adopt Resolution #2024-32, approving the submission of a Sewage Planning Module for Grim's Orchard & Family Farms. Seconded by Chairman Fleischaker. Motion passed unanimously.

F. Resolution 2024-33 – Docket #2357 – XPO – Sewage Facilities Planning Module

Mr. Sostarecz stated that XPO Logistics has submitted their Sewage Planning Facilities Module for review by the Township. The Township Engineer has reviewed the Plan and agrees that it is ready for submission to the DEP.

Motion by Supervisor Brunell to adopt Resolution #2024-33, approving the submission of a Sewage Planning Facilities Module for XPO Logistics. Seconded by Chairman Fleischaker. Motion passed unanimously.

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G. Resolution 2024-34 – Granting Right-of-Way Public Utility Easement to PP&L for 1423 N. PA Route 100

Mr. Sostarecz stated that PPL Electric Utilities has a critical underground line currently in place and which has failed at the southern end of Township property at 1423 N. PA Route 100. The line was originally installed in 2009 and PPL would now prefer to place the lines aboveground for future maintenance ease utilizing 45' wooden poles. The line and poles would be very near the property border and PPL has confirmed that should the Township ever wish to pave in this area to provide a pedestrian pathway or vehicle parking area, this would be permitted without restriction.

Motion by Chairman Fleischaker to adopt Resolution #2024-34, granting a Right-of-Way Public Utility Easement to PP&L Electric Utilities Corporation for the installation of overhead and underground facilities at 1423 N. Route 100 and authorizing the Township Manager to sign all documents related to such grant. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

VIII. Motions

A. Authorizing Extension of Time Limitations for Recording of Docket #2317, 1001 Glenlivet Drive Warehouse

Solicitor Schantz stated that the applicant appeared at the June 6, 2024, BOS meeting requesting one final extension of 90 days, and if they are unable to meet that deadline and the plan approval is rescinded, they will waive their right to appeal.

Motion by Supervisor Brunell to authorize an extension of time limitation for the recording of Docket #2317 – 1001 Glenlivet Drive for a period of 60 days ending on September 1, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

B. Authorizing Salary Adjustment for the Recreation Supervisor

Mr. Ibach stated that after the resignation of Mike Kukitz this spring Emily voluntarily stepped into Mike's role without hesitation to provide continued recreation services to the Township, both residents and administratively. He recommended that for her hard work and proving her capabilities that her annual salary be increased to \$68,000.00.

Motion by Vice-Chairman Ghai to authorize an adjustment of the yearly salary of the Recreation Supervisor Emily Crosby-Piszczek to \$68,000.00. Seconded by Chairman Fleischaker. Motion passed unanimously.

C. Authorizing the Scheduling and Advertising of a Hearing Date for the Proposed Noise Ordinance

Mr. Ibach stated that the Solicitor and Staff have been working on the updates to a draft ordinance. This process is close to being ready to be presented before the Board, and Staff would like to set a date to advertise and hold a public hearing for the proposed changes to the Zoning and SALDO changes. Chairman Fleischaker stated that the public hearing will be placed on the agenda for the September 5, 2024, Board Meeting. He also mentioned that the Noise Ordinance and the changes to the Zoning and SALDO ordinances should be ready for action by the Board for the October 3, 2024, meeting.

Motion by Chairman Fleischaker to authorize the scheduling and advertising of a hearing date for changes to the Zoning and SALDO Noise Ordinance to be held on September 5, 2024, at 7:00 p.m. Seconded by Supervisor Brunell. Motion passed unanimously.

D. Authorize the Advertisement for Refuse and Recycling Bids

Mr. Ibach stated that the current contract that was signed in 2021 had provisions for another one (1) year extension for 2025, contingent upon both parties agreeing to the extension. Whitetail Disposal was unable to hold the current rate in 2025 and has provided us their notice of non-renewal.

Motion by Vice-Chairman Ghai to authorize Staff to prepare and advertise bids for the Township's Refuse and Recycling Contract. Seconded by Chairman Fleischaker. Motion passed unanimously.

E. *Authorizing the Advertisement of an RFP for Third-Party Inspection Services*

Mr. Sostarecz stated that the Township contracts with third parties who are appointed by the BOS for plan reviews and inspection services for building permits. There are two agencies which are currently appointed: Barry Isett & Associates, and Keycodes Inspection Agency. Both firms were engaged with Professional Service Agreements in 2019 for an initial period of two years, with the option for three one-year extensions. These agreements are set to expire at the end of August and Staff would like to advertise a new RFP, anticipating this to be awarded at the September Board meeting.

Motion by Supervisor Brunell to authorize the advertisement of an RFP for Third-Party Inspection Services. Seconded by Chairman Fleischaker. Motion passed unanimously.

F. *Awarding Bid for Phase III Mill Creek Trunkline Sanitary Improvement Projects*

Mr. Ibach requested that the Board authorize the awarding of a bid for the Mill Creek Road Sanitary Sewer Trunkline Improvements Project to Joao & Bradley Construction in the amount of \$288,477.25. This is the second bid for this project and while the amounts are still above the engineer's estimate of \$275,000, the response numbers indicate that this is a reasonable amount.

Motion by Vice-Chairman Ghai to award the bid for the Mill Creek Road Sanitary Sewer Trunkline Improvements Project to Joao & Bradley Construction in the amount of \$288,477.25. Seconded by Chairman Fleischaker. Motion passed unanimously.

G. *Authorizing the Creation of a Steering Committee for the Future of Fire Services in UMT and Appointing a Board of Supervisors Representative to the Committee*

Mr. Ibach stated that it is the Township's responsibility to provide fire protection services to the municipality under the Second-Class Township Code. Volunteer participation in Pennsylvania volunteer fire companies has been steadily declining for years. The Township and Companies need to find solutions to counter staffing shortages to provide adequate fire protection services to the community. This committee will work toward a plan for the future of fire services in UMT.

Motion by Vice-Chairman Ghai to establish a steering committee to provide feedback to the Board on future needs of fire services within Upper Macungie Township; and appointing Chairman Fleischaker to serve on the committee as a liaison to the Board. Seconded by Supervisor Brunell. Motion passed unanimously.

H. *Authorizing the Township Manager to Sign a Fire Software Agreement with Tyler Technologies*

Commissioner Christ mentioned that the current software package, Emergency Reporting, is due to sunset by the second quarter of 2025 and all fire departments in Pennsylvania will need to choose a new platform. Tyler Technologies was a previously chosen vendor to be utilized by other Township departments. By choosing their platform, it allows the Bureau of Fire to have a direct interaction with other departments within Upper Macungie, such as finance and building codes.

Motion by Chairman Fleischaker to authorize the Township Manager to sign a contract with Tyler Technologies for a new fire networking software package for utilization by the Bureau of Fire and the three (3) Upper Macungie Fire Departments at a cost of \$25,124.00. Seconded by Supervisor Brunell. Motion passed unanimously.

I. *Authorizing Fire Police Assistance for A Night in the Country*

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Commissioner Christ stated that the Northwestern Recreation Committee will be holding their annual event A Night in the Country on August 17 with a rain date of August 18 and have requested assistance from the Upper Macungie Township Fire Police.

Motion by Supervisor Brunell to authorize Fire Police Assistance to aid with traffic control at various intersections within the Township for A Night in the Country at the request of the Northwestern Recreation Commission on August 17, 2024, with a rain date of August 18, 2024. Seconded by Vice-Chairman Brunell. Motion passed unanimously.

IX. BOARD AND STAFF REPORTS

A. Township Manager

Mr. Ibach mentioned that Butz has reported that there has been very strong interest from contractors for the construction of the Community Center. He also stated that staff has had conversations with the Parkland Library and Lehigh County Adult and Aging Services, that have expressed interest in providing some programming in the community center once it is built. Mr. Ibach also introduced Ryan Griffiths, who has joined the Township as the Recreation Manager.

B. Township Secretary

Ms. Vazquez stated that there was an Executive Session that was held on July 11, 2024, at 6:00 p.m. where the topic discussed was personnel.

C. A Township Engineer

Mr. Alban mentioned that the Grange Road Roundabout Project will be starting around July 15th and that the main entrance to the park will be closed to allow for the project's construction. To aid with traffic control there will be temporary signals that will be placed as well as a temporary stoned access road into the park via Grange Road. The construction of this project should be completed in approximately two months.

D. Community Development Director

Mr. Sostarecz stated that Simone Collins has begun the Comprehensive Park, Recreation, and Open Space Study. He mentioned that there will be multiple public hearings that will be held and the importance of participating in these meetings.

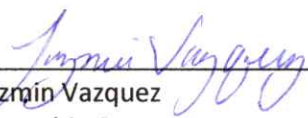
X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Jaime Alvor mentioned his concerns with the access to the Sheetz and need for better signage to reduce the amount of vehicles using private driveways to turn around to access the Sheetz. He also mentioned that Sheetz has been used as a truck stop that was not an approved use. Mr. Ibach stated that this is currently being addressed to find a resolution.

XI. ADJOURNMENT

There being no other business, **Vice-Chairman Ghai made a motion to adjourn the meeting at 8:48 p.m. Seconded by Supervisor Brunell. The motion passed unanimously.**

Submitted by:



Jazmin Vazquez
Township Secretary