

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on June 5, 2014, in the Municipal Building at 7:00 PM. Those present were Chairman James M. Brunell, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz, Township Engineers Scott Stenroos and Dean Haas, Treasurer Barry Moyer, DPW Scott Faust, Lt. Peter Nickisher, Fire Commissioner Grant Grim and Assistant Secretary Owen M. Bastian.

Chairman James M. Brunell opened the meeting and asked all present to join him in the Pledge of Allegiance to the flag of the United States

MINUTES

Chairman Brunell stated that the minutes of the previous meetings would not be read unless there was some objection. Upon a motion by Vice-Chairman Samir P. Ashmar, seconded by Chairman James M. Brunell and unanimously approved it was agreed to waive the reading. Upon a motion by Vice-Chairman Samir P. Ashmar, seconded by Chairman James M. Brunell and unanimously approved the minutes of the previous meeting are approved as presented.

PUBLIC COMMENT – Mr. Christopher Englebert - Thanks to the UMTPD for the speeding enforcement on Blue Barn Road and at the recent LaCrosse event at Grange Road Park. Also, a special thanks to Mr. Sean Gill of South Parkland and Mr. Jim Soltis of UMT for this help to make this a very successful event. He also requests that UMT continues to work on developing Grange Road Park.

PRESENTATION/COURTESY OF THE FLOOR -

Mr. Stewart Krawitz of K & M Associates requested that the Phase 2 plan of Parkland Fields be recorded concurrently with the completion of the Schantz Road improvements. The recording and the improvements should be finished around the same time. This will help to keep the project moving forward. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, the Phase 2 plan of Parkland Fields may be recorded, with the stipulation that no Certificates of Occupancy be released until Phase 1 of the Schantz Road Improvements are completed.

Rummel, Klepper & Kahl, LLP (RK&K) – Mr. Michael Mastaglio of RK&K, a consultant for PennDOT, described the temporary work to be done at the intersections of Routes 222, 863, Schantz Road and Farmington Road. There will be two temporary traffic lights. One placed at Schantz Road and Route 222. The other at Farmington Road (Route 863) and Route 222. Vice Chairman Ashmar made a motion to request that PennDOT restrict truck traffic on Schantz Road until the completion of the entire project. This motion was seconded by Chairman Brunell and unanimously approved.

Regarding the temporary traffic signals, two resolutions are required. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimously approved, **RESOLUTION #2014-10** is hereby approved for the temporary signal at the intersection of Routes 222, 863 (Independent Road) and 3011 (Farmington Road). Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimously approved, **RESOLUTION #2014-11** is hereby approved for the temporary signal at the intersection of Routes 222 and 3012 (Schantz Road).

ORDINANCES - NONE

RESOLUTIONS -

RESOLUTION #2014-12 – Docket #2121 Woodmont at Upper Macungie (formerly Rabenold Farms II) – Preliminary Land Development Plan. Engineer Haas reported that this plan is ready for Conditional Preliminary approval. The applicant is ready to process the state required NPDES permit for storm management. Upon a Motion by Secretary Rader, seconded by Chairman Brunell and unanimous Resolution #2014-12 is hereby approved.

MOTIONS -

Surplus of Vehicles - Awarding of Bids - Scott Faust, DPW - The 2008 Ford F-250 Supercab XLT 4x4 used truck for sale received two bids, one from Keith E. Malcolm for \$18,669.00 and one from Lauro Nacipucha for \$4,000.00. Upon a motion by Chm. Brunell, seconded by V-C Ashmar and unanimously approved the bid of \$18,669.00 from Keith E. Malcolm for the used 2008 Ford truck is accepted. The used cars advertised did not receive any bids. Upon a motion by V-C Ashmar, seconded by Chm. Brunell and unanimously approved the cars will again be advertised. The 2008 Ford Expedition received three bids: Don Dietrich \$10,000; Michael Sinko \$10,200; and, the Jim Thorpe Police Department \$6,000.00. DPW Faust suggested that this vehicle be put with the Ford Escape and traded on a new vehicle. The total trade value for both would be \$17,800. Upon a motion by Chairman Brunell, seconded by VC Ashmar and unanimous it was approved to trade both vehicles.

KRE - Lehigh Hills, Lot 5 Apartments - Mr. C. Richard Roseberry, P.E. Proposed are 7 buildings with 39 units each rather than the original 19 buildings. The new buildings would be 65 ft. tall. Solicitor Schantz noted that this height would require change in the zoning ordinance. Upon a motion by VC Ashmar, seconded by Chairman Brunell and unanimous, the plan was referred to the Planning Commission for review and recommendation.

Minu Desai (Iron Run Motel) - Property Rehabilitation Overlay (PPRO) Ordinance - Atty. Joseph Zator explained the overlay ordinance concept. Proposed is a 50 room hotel supported by the neighbors. Without a change in the ordinance the property cannot be developed, in his opinion. Atty. Zator is suggesting a "PRO" may allow this property to be developed with the proposed hotel. After much discussion, Chm. Brunell and V-C Ashmar recommended developer try and work within the current regulations to develop the property.

King's Zoning Map Amendment Request - Mr. Jay King has agreed to deed restrictions/covenants placed on record, should his property be rezoned. Upon a motion by V-C Ashmar, seconded by Chm. Brunell and unanimously approved the Solicitor is authorized to prepare an ordinance for the Kings Zoning Map amendment. Upon a motion by Sec. Rader, seconded by Chm. Brunell and unanimously approved a public hearing is to be scheduled for 6:30 PM on July 3, 2014, prior to the regular meeting.

Trexlertown Shopping Center - Proposes a 12,000 SF Retail Pad Site with parking lot and access improvements. The applicant is seeking Conditional Preliminary approval with a waiver for the HDPE Pipe. Applicant also is offering to contribute \$12,000 toward the pre-emption devices for the traffic signal. This land development is mostly in Lower Macungie Township. Upon a motion by Secretary Rader, seconded by VC Ashmar and unanimous, **RESOLUTION 2014-13** regarding Trexlertown Shopping Center is hereby approved.

A motion was made by Secretary Rader, seconded by Chairman Brunell and unanimous that Lower Macungie Township should handle the building permits for this pad site.

Diocese North Subdivision - Most of this subdivision is in Lower Macungie Township. However, a traffic signal may be required for Upper Macungie Township in the future. After much discussion, a motion was made by VC Ashmar, seconded by Sec. Rader and unanimous to have the UMT Planning Commission review a full submission with any traffic study that may have been completed.

Zoning Ordinance Clerical Corrections - Upon motion by Chm. Brunell, seconded by V-C Ashmar and unanimously approved permission is granted to KCE to review and correct clerical errors in the Township Zoning Ordinance.

157 Windermere Avenue - The property is in disrepair and scheduled for sheriff sale on July 25, 2014. It was suggested that the solicitor notify property owner about a public safety and health hazard. Upon a motion by Secretary Rader, seconded by Chm. Brunell and unanimously approved, the solicitor is to pursue any legal remedy to abate this public hazard/nuisance.

Community Oriented Policing Services ("COPS") Grant - Grants are now available, applications must be complete and submitted by 7:59 PM, EDT on Monday, June 23, 2014 in order to receive consideration. Upon a motion by Sec. Rader, seconded by Chairman Brunell and unanimously approved Upper Macungie Township will apply for a Grant from the COPS Hiring Program (CHP).

Meeting Room, HVAC - The roof unit is in poor shape, replacement would cost about \$14,900 to \$18,500. Sec. Rader recommended placing that amount in the 2015 budget. Upon a motion by Sec. Rader, seconded by Vice Chm. Ashmar the replacement of the Meeting Room HVAC will be placed in the 2015 Budget.

Employee Continuing Education – Board of Supervisors recently received a request from an employee for financial aid for job related continuing education. Currently the township does not have a policy regarding continuing ed. Upon a motion by Chm. Brunell, seconded by Sec. Rader and unanimously approved the Solicitor, with the UMT/ HR consultant is instructed to investigate a possible policy for such a program. The employee’s request is tabled until a policy is in place.

Adult Basketball Thursday nights at Ricky Park from 6-8 PM - Upon a motion by Sec. Rader, seconded by V-C Ashmar and unanimously approved, adult basket Thursday nights at Ricky Park from 6 to 8 PM will be allowed.

Junior Golf - 2 four week programs, 2 days a week from 9-12. Solicitor will review the proposed contract. Upon a motion by Sec. Rader, seconded by Chm. Brunell and unanimously approved Junior Gold program will be started after review and approval of contract by Solicitor Schantz.

Newtown Road Speeding - Complaints have been received about speed on Newtown Road. One car reported going 76 MPH. Until speed limit can be adopted, it is suggested to put up 35 MPH signs to slow down traffic until the zone is created. Upon a motion by V-C Ashmar, seconded by Chm. Brunell and unanimously approved the solicitor is to draft an ordinance and signs are to be erected immediately to aid in slowing down traffic.

PPL Transformer Transport - PP & L is transporting 2 heavy transformers over Township roads, they have already given a \$250,000 letter of credit in case of damage to roadway. They will travel at 5 MPH, all this expected to happen on June 11th and 12th. Upon a motion by Sec. Rader, seconded by Chm. Brunell and unanimous, PP&L is granted permission to use Township Roads for transporting said transformers on Township Roads.

REPORTS

Treasurer’s Report - May Bills - General Fund \$1,313,535.69; Sewer Fund \$122,348.96; Chm. Brunell \$499.40; and, Sec. Rader \$499.40.

Upon a motion by Chm. Brunell, seconded by V-C Ashmar and unanimously approved the Treasurer is authorized to pay the General Fund bills for the month of June \$1,313,535.69.

Upon a motion by Sec. Rader, seconded by V-C Ashmar and approved, with Chm. Brunell abstaining, the Treasurer is authorized to pay Chm. Brunell expenses for attending the PSATS Conference the amount of \$499.40.

Upon a motion by Chm. Brunell, seconded by V-C Ashmar and approved, with Secretary Rader abstaining, the Treasurer is authorized to pay Sec. Rader expenses for attending the PSATS conference the amount of \$499.40.

Upon a motion by Chm. Brunell, seconded by Sec. Rader and unanimously approved the Treasurer is authorized to pay the Sewer Fund bills for the month of June, \$122,348.96.

Recreation Board Report - Sec. Rader reports that the Recreation Passport is available on the table. She reminds everyone that Movies in the Park will begin on June 13th and Fireworks on July 5th.

Planning Commission Report - Engineer Haas reviewed the Planning Commission meeting held on May 14th.

Upper Macungie Township Police Report - Lt. Peter Nickisher reporting.

Total calls for Service	745
Reportable crashes	22
Non-Reportable Crashes	37
Criminal Arrest (Misdemeanor/Felony)	21
Non-Traffic Citations (summary)	26
Traffic Citations	534
Parking Tickets	27
Written Warnings	104
False Alarms	100

He then described credit card problems from identity theft...all residents are urged to use caution when using credit cards. Thefts from cars have been reported...residents urged to keep vehicles locked. There will be another Women's Self Defense class in fall. K-9 Hassan helped apprehend a suspect. Police Arbitration has been completed and awarded.

Berks/Lehigh Police Report - V-C Ashmar reports that many issues have been resolved; however, pension issue is still a problem.

Fire /EMS Report - Commissioner Grim reporting - Fire inspections 136; Emergency responses Station 8 = 32; Station 25 = 35; Station 56 = 38 = Total 105 * EMS responses Priority 1 (echo, delta, charlie = 82; Priority 2 (bravo) = 74; Priority 3 (alpha) = 81; Mutual Aid Required = 2 = Total 239

Junior Emergency Services Academy will be held in August.

Public Works Report - Director Faust reported hiring of a new mechanic. Upon motion by Sec. Rader, seconded by Chm. Brunell and unanimously approved a new mechanic, Keegan Adams, was hired for the Public Works Department at a rate of \$19.50 per hour.

Director Faust suggested that the yard waste site be closed at 5:00 PM on Saturdays and Sundays. We are paying personnel to monitor the site, with very little activity between 5:00 PM and 7:00 PM on those days. Upon a motion by Chm. Brunell, seconded by VC Ashmar and unanimous, starting in August, the yard waste site will close on Saturdays and Sundays at 5 P.M.

Zoning Report - Read by Chm. Brunell. The report of the Zoning Officer, Daren J. Martucci, for the month of May was received and showed 88 permits issued, 17 for New Residences, 25 for Residential additions/alterations and roofs, 0 for a new Commercial/Industrial Building, 14 for Commercial/Industrial additions/alterations, 32 Zoning Permits, 8 Electrical licenses and 2 Plumbing Licenses.

The Zoning Hearing Board of Adjustment heard the following appeals May 28, 2014:

#05-14- 005 - Appeal of Glenn & Kathleen Ray, 5554 Merry Lane, for a variance from the requirements of The Upper Macungie Township Zoning Ordinance Section 27-307-B.1.e. minimum building setback for a Principal Structure, to allow for a minor encroachment upon the required Front building Setback Line. The property is located along Merry Line near the intersection of Krocks Road within the Penwood Development and situated in the R2 Zoning District. A Zoning Variance was granted from Section 27-307.B.1.e. Minimum Building Setback for a Principal Structure.

Lehigh Tax Collection Committee Report - None

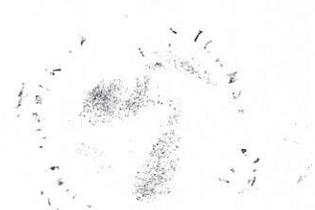
SUPERVISORS

Chairman Brunell – Noted that some of the Fire Inspector's certifications are not listed on the Labor and Industry website. This needs to be remedied.

Vice-Chairman Ashmar - Nothing

Secretary Rader Executive Sessions:

May 5, 2014 at 8:15 AM - Personnel Issue (Township Manager)
 May 5, 2014 at 2:00 PM - Personnel Issue (Township Manager)
 May 8, 2014 at 7:00 PM - Personnel Issue (IBEW)



May 15, 2014 at 5:00 PM - Personnel Issue (Township Manager)
 May 16, 2014, at 4:00 PM - Personnel Issue (Township Manager)
 May 21, 2014 at 5: PM - Personnel Issue (Township Manager)
 June 2, 2014 at 5:30 PM - Personnel Issue (IBEW)

Correspondence - Thank you letter received from Trexlertown Fire Company for the use of township trucks and for township personnel donating their time for the concrete apron project.

Received notice that PPL will be replacing wooden poles with metal poles, starting now and working until October.

Secretary Rader made a motion to instruct Solicitor Schantz to prepare a resolution to repeal **RESOLUTION #2013-44**, passed on November 7, 2013, authorizing a referendum to be placed on the ballot seeking approval to increase the Board of Supervisors to five members. With a new, first-time, Township Manager soon to start, she stated that in her opinion, now is not the time to possibly add two additional members to the Board. Motion was seconded by Chm Brunell. Vice Chairman Ashmar expressed his concern that this was not an agenda item and Supervisor Rader's motion would take away the residents right to vote for a five person board. Resident Linda Gorr expressed her concern and disagreed with Supervisor Rader's motion. Resident Shohn Montano expressed concern with Supervisor Rader's motion and expressed concern why the Supervisors would make the residents go through a more taxing process of collecting enough signatures to place the question of adding additional Supervisors on the ballot. Resident Gary Mattox also expressed concern since the previous Board of Supervisors already made the decision to let the people decide if the additional Supervisors are needed. Mr. Mattox stated that "it's like putting toothpaste back in the tube". Resident Charles Deprill agreed with Supervisor Rader's motion. The Motion passed on a 2 to 1 vote with Vice Chairman Ashmar voting no.

PUBLIC COMMENT

Paul McNemar - There are street lights out in the area of Blue Barn Road & Tilghman Street.

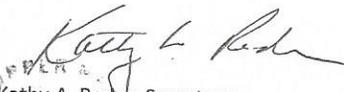
Site distance obstructions: the corners of Adams Road & Arrowhead Lane and Oldt & Adams Roads.

Grant for Route 100 & Industrial Boulevard is almost finished, paperwork is being completed.

Jeff Grim - Questioned progress on Fogelsville Dam. There is still parking on Ambassador Drive.

Sean Gill - Thanks UMT for help with the LaCrosse tournament...over 6,000 people attended...he heard great comments about the Grange Road Park.

Upon a motion by Chm. Brunell, seconded by Sec. Rader, and unanimously approved the meeting was adjourned at 10:34 P.M.


 Kathy A. Rader, Secretary