

## BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on August 1, 2013, in the Municipal Building at 7:00 P.M. Those present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz, Township Engineers Daren Mariucci, Treasurer Barry Moyer, Lt. Joseph Wilson, Fire Commissioner Grant Grim, DCD Ken Malony and Assistant Secretary Owen M. Bastian.

Chairman Edward J. Earley opened the meeting and asked all present to join him in the Pledge of Allegiance to the flag of the United States.

Chairman Earley stated that the minutes of the previous meeting would not be read unless there was some objection. Upon motion by Vice-Chairman Samir P. Ashmar, seconded by Chairman Edward J. Earley and unanimously approved it was agreed to dispense with the reading of the minutes of the previous meeting. The minutes of the previous meeting of July 3, 2013, were approved as presented.

Chairman Earley presented the bills for the month of July totaling General Fund \$1,393,589.52 and Sewer Fund \$133,557.41. Upon motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved, Treasurer Moyer is authorized to pay the General Fund bills for the month of July in the amount of \$1,393,589.52 and the Sewer Fund bills for \$133,557.41.

**PUBLIC COMMENTS** - None - Chairman Earley noted that the meeting is being recorded to aid in the writing of the minutes.

**RECREATION BOARD** -

Secretary Rader reported that the Recreation Board did not have a meeting. A view of the things to come in Recreation is available on the table in the back of the room.

**PLANNING COMMISSION** - Engineers Martucci and DCD Malony

**Docket #1946 - Lehigh Valley West Lot #10 - Waiver request & Storm Water Consistency** - The waiver request for sewer line within storm basin and modification of storm water management to provide infiltration in lieu of the approved spray irrigation. Since the plan was previously approved the waiver request must go back to the Planning Commission for further review. Upon a motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved it was Resolved that **Docket #1946 be returned to the Planning Commission for further review.**

**Docket #2136 -Lehigh County Authority - Minor Subdivision** - This minor subdivision plan proposes to create two new lots from the original parcel. Plan previously reviewed. Given the location of the floodplain, the depth and width of Lot 4 may be an issue for future development. No access or utilities are shown or proposed to be provided on Lot 3. The applicant provided a letter of intended use related to an agreement on the property between LCA and the County of Lehigh. Based on this agreement the Township could consider deferring all aspects of the SALDO related to Sketch, Preliminary and Final plan requirements provided the plan and approval acceptance contain language that the resultant lots are not approved for development. The Planning Commission recommended approval with deferral of the SALDO requirements with the condition that the plan notes state these lots are not approved for development. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it was RESOLVED that Resolution # 2013- **A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MACUNGIE TOWNSHIP APPROVING DOCKET #2136, LEHIGH COUNTY AUTHORITY, MINOR SUBDIVISION, ALL AS SHOWN ON PLANS OF ARRO ENGINEERING, JOB #10670.00, DATED MAY 21, 2012, REVISED 6/17/13 WITH THE CONDITION THAT THE LEHIGH VALLEY PLANNING COMMISSION APPROVAL BE RECEIVED AND PLAN BE MARKED "NOT FOR CONSTRUCTION."**

**Docket #1977 - Parkland Fields - Phase 1B & 2, Final Approval; and, Schantz Road Upgrade & Detour** - Engineer David Lear, representing the developer, addressed the Board. Phase 1B is selling well, so part of Schantz Road should be done with 26 homes in Phase 1B and also Phase 2. Question on security discussed. After a long discussion on changes Chairman Earley made a motion to deny the changes. Motion was then changed to table any action till the next meeting and later withdrawn completely.

Secretary Rader suggested acting on phases similar to what Engineer Haas has in his report:

First - Final Plans - Parkland Fields, Phase 1B

Second - Schantz Road Improvements

Third - Schantz Road Improvements Traffic Control

Forth - Final Plans - Parkland Fields, Phase 2

Vice-Chairman Ashmar is concerned about development having serious financial problems and wants letter of credit to cover the entire project. The developer responded that this was not possible. After more discussion, upon a motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the following resolution was adopted: **RESOLVED** that pursuant to the agreement approved by K & M Associates on July 30, 2013 for Phase 1B including posting a Letter of Credit for Phase 1B of Parkland Fields is hereby adopted.

**DOCKET #2078 - PARKLAND COMMUNITY LIBRARY - Resolution for Plan Revision** - The Township has approved a change in the plans for the Community Library and DEP needs a Resolution for the change. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it is **RESOLVED** that **RESOLUTION 2013- "RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT, NOW, THEREFORE, BE IT RESOLVED THAT THE SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE HEREBY ADOPT AND SUBMIT TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR ITS APPROVAL AS A REVISION TO THE OFFICIAL SEWAGE FACILITIES PLAN OF THE MUNICIPALITY THE ABOVE REFERENCED SEWAGE FACILITIES PLANNING MODULE WHICH IS ATTACHED HERETO"** is hereby adopted by the Board of Supervisors of Upper Macungie Township.

#### UPPER MACUNGIE TOWNSHIP POLICE REPORT

**UMT Police Department** - Lt. Joseph Wilson reported on investigations and arrests for the month of July.

Total Incidents	604
Reportable MVAs	17
Non-Reportable MVAs	27
Criminal Arrest (Non DUI)	7
DUI	8
Traffic Citations	533
Non-Traffic Citations	12
Parking Tickets	4

Lt. Wilson then described several robberies in the area. He urged all residents to lock their vehicles and notify the PD of any suspicious activities in their area.

#### BERKS/LEHIGH POLICE REPORT

##### **BLRP Police Commission - Update**

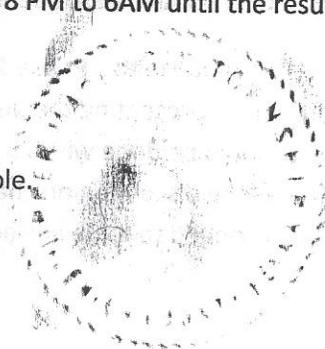
The Township should receive over \$600,000 to be put in an escrow account needed to cover the pension shortfall. The next meeting of the Commission is scheduled for August 19th at 7 P.M. at Station 56.

#### FIRE COMMISSIONER REPORT

Fire Commissioner/Emergency Management Coordinator Grant Grim is with us this evening. In the month of July: Emergency responses, Station 8 had 25, Station 25 had 34 and Station 56 had 44, for total of 103 calls. A Junior Emergency Services Academy will be held August 12th to the 16th for children 12 to 16 years old. Enrollment is limited to 30, 16 young people have signed up to date. Emergency Preparedness Day is scheduled for September 21, 2013 from 11 AM to 3 PM, again at the St. Lukes facility. Emergency generators should be delivered within two weeks. Engineers are checking into the problem of addresses on the stub road off Mosser Road, off of Hamilton Boulevard. I-78 from route 100 to the Berks County line will be closed one lane at time from 8 PM to 6AM until the resurfacing project is complete.

#### PUBLIC WORKS REPORT

Director Faust is not with us this evening. His report is on the table.



**ZONING REPORT**

The report of the Zoning Officer for the month of July was received and showed 62 permits issued, 10 for new residences, 15 for residential additions/alterations, 8 for new commercial/industrial buildings, 12 for commercial/industrial additions/alterations, 17 miscellaneous, plus 5 electrical licenses and 1 plumbing license.

In July the Zoning Hearing Board of Adjustment heard the following appeal:

#71306 - The appeal of Johnny Chung, 312 Francis Lane, Breinigsville, Pa. 18031 - for a variance from the requirements of The Upper Macungie Township Zoning Ordinance Section 27-307.2.A.e to allow construction of a garage within the rear yard, encroaching on the building restriction line. The property is located on Francis Lane within the Valley West Estates Development, and is situated in the R1 Zoning District.

A variance was granted to allow construction of a garage as an "addition" to the principal structure, which will encroach upon the rear building restriction line by 22.9' on July 24th, 2013.

Docket #71307 - The appeal of Russ & Lynne Snyder, 19 Cottonwood Street, Allentown, Pa. 18104 for a variance from the requirements of The Upper Macungie Township Zoning Ordinance Section 27-307.2.A.e to allow construction of a garage within the side yard, encroaching on the building restriction line. The property is located on Cottonwood Street within the Oakland Park Development and is situated in the R2 Zoning District.

A variance was granted to allow construction of a garage as an "addition" to the principal structure, which will encroach upon the side building restriction line by 7' on July 24th, 2013.

**OLD BUSINESS**

**Fogelsville Dam** - The Emergency Action Plan is being submitted to DEP. The Township is seeking additional funding through grants to remove about 6 feet of the height of the dam. A \$21,000 grant has been received. Secretary Rader reports that another grant may be available. Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved it was RESOLVED, "THAT THE UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, HEREBY REQUEST A WATERSHED RESTORATION AND PROTECTION (WRPP) GRANT OF \$31,000 FROM THE COMMONWEALTH FINANCING AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA TO BE USED FOR DAM BREACH AND STREAM RESTORATION"

**Kay Construction Inc.** - Commercial development on Blue Barn Road. Solicitor Schantz reports that it will be at least another two weeks until PennDOT reviews the paperwork.

**NEW BUSINESS**

**Susquehanna Municipal Trust - Workers' Comp Insurance** - The Insurance renewed July 15th. The Township Broker looking for a lower price, found Susquehanna Municipal Trust which is \$46,800 cheaper than the current supplier. Secretary Rader recommends switching the policy. Upon a motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved Susquehanna Municipal Trust will be the carrier for Workers' Comp Insurance.

**Bid Awarding** - Four bids were received for Industrial Boulevard Widening on July 17, 2013.

Grace Industries Inc.	\$617,937.46
Lehigh Valley Site Contractors	601,517.35
Livengood Excavators Inc.	459,415.76
Muschlitz Excavators	494,508.05

Upon a motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the low bid from Livengood Excavators of \$459,415.76 for Industrial Boulevard Widening is hereby accepted. Vice-Chairman Ashmar questioned if the State grant for the project had been received. Secretary Rader said the grant has been approved.

**Act 13 Grants** - Secretary Rader reported that there may be other grants available and recommended that the Township apply. Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved "IT WAS RESOLVED THAT THE UPPER MACUNGIE TOWNSHIP HEREBY REQUEST A GREENWAYS, TRAILS, AND RECREATION PROGRAM (GTRP) GRANT OF \$249,900 FROM THE COMMONWEALTH FINANCING AUTHORITY TO BE USED FOR PARK IMPROVEMENTS".



Secretary Rader then made the following motion, seconded by Chairman Earley and unanimously approved "IT WAS RESOLVED THAT THE UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY HEREBY REQUEST A GREENWAYS, TRAILS, AND RECREATION PROGRAM (GTRP) GRANT OF \$45,487.05 FROM THE COMMONWEALTH FINANCING AUTHORITY TO BE USED FOR THE BREINIGSVILLE PARK WATER LINE EXTENSION".

**Western Lehigh Chamber Signs** - Secretary Rader reported that the Western Lehigh Chamber has offered to erect eight official WELCOME signs at various roads entering the Township at no cost to the Township. The signs would be about 30" x 48". Upon a motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the Western Lehigh Chamber is hereby given approval to erect eight WELCOME signs along roads entering the Township.

**Human Resources** - Vice-Chairman Ashmar noted on the need for a consultant to advise the Supervisors on matters pertaining to employee relations. He made a motion to hire such a consultant, Chairman Earley seconded the motion and it was unanimously approved.

**CHAIRMAN EARLEY** - Nothing more.

**VICE-CHAIRMAN ASHMAR** -

Vice - Chairman Ashmar reported on the list of items needed to be paid from the LST account. Various Police Department items \$28,090; a large dump truck approximately \$70,000; a small dump truck approximately \$40,000, replacing the EXPLORER, approximately \$44,000; for a total of approximately \$182,000; due to the condition of the two dump trucks, the trucks will be sold instead of traded. The value of the trucks is hard to estimate, could be from \$50,000 to \$70,000. V-C Ashmar then made a motion to purchase equipment listed and that it be paid for from the LST account, Chairman Earley seconded the motion and it was unanimously approved. .

**SECRETARY RADER** -

Executive session: July 24, 2013, @ 6:00 PM - Personnel issues  
Aug. 1, 2013, @ 2:00 PM "

Reminders - Movies in the Park - August 9th with rain date August 10th, Breinigsville Park Meeting with South Whitehall Township regarding Incident Command Vehicle Wednesday, August 14, 2013 at 6 P.M.

**PUBLIC COMMENT** -

Vice-Chairman Ashmar said he had just received a copy of a press release in which Ocean Spray announced the building of a distribution center in Weisenberg Township. This will have a great impact on the intersection of I-78 and route 100 in UMT. This is contrary to what Ocean Spray representatives told UMT officials. To service a million square foot warehouse will bring additional tractor-trailers to the intersection. He then made a motion that the Solicitor ask Ocean Spray representatives to attend a meeting to review the problem, Chairman Earley seconded the motion and it was unanimously approved.

Mr. Jeff Grim voiced his concern about a narrow section of Hickory Lane. Development on both sides of the section have been widened, leaving a small stretch untouched, too narrow for a school bus and car to pass each other. Township Personnel will look into this issue.

Upon motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the meeting was adjourned at 8:15 P.M. The next regular meeting is Thursday, September 5, 2013 at 7 P.M.



Kathy A. Rader, Secretary

