

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 January 6, 2020 at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were James M. Brunell, Chairman; John P. "Sean" Gill, Vice-Chairman; Kathy A. Rader, Supervisor; Robert R. Ibach, Jr., Township Manager; Kalman A. Sostarecz, Jr., Township Secretary; Daren J. Martocci, Director of Community Development; David Alban, Township Engineer; Andrew V. Schantz, Esq., Solicitor; Edgardo Colón, Chief of Police, UMTPD; Scott Faust, Public Works Director; Bruce Koller, Finance Director; Grant Grim, Director, Bureau of Fire; and Lynn Matula, Recreation & Events Coordinator.

Chairman Brunell 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. MINUTES**A. *December 5, 2019***

Chairman Brunell stated that he would dispense with the reading of the minutes of the previous meeting unless there was an objection.

Motion by Chairman Brunell to waive the reading of the minutes of the December 5, 2019 meeting and approve them as presented. Seconded by Vice-Chairman Gill. The motion passed unanimously.

III. PRESENTATIONS**A. *Certificate of Valor for the Heather Glen Fire***

Chairman Brunell presented a Certificate of Valor for the Heather Glen Fire to Bureau of Fire Director Grant Grim.

IV. DISCUSSIONS & UPDATES**A. *Sanitary Sewer System Tapping Fee Study – David Busch, Keystone Alliance Consulting, Inc.***

Manager Ibach stated that in April of 2018 the Township authorized a formal tapping fee study to be conducted; this was performed by David Busch of Keystone Alliance Consulting, Inc. who was present to discuss his findings. The study ultimately recommended a fee of \$5.81 per gallon per day for those connecting to the Township Sanitary Sewer System.

Motion by Chairman Brunell authorize Township Staff to prepare and advertise an ordinance establishing a new sanitary sewer system tapping fee. Seconded by Supervisor Rader. The ordinance passed unanimously.

V. ORDINANCES**A. *Ordinance #2020-01 – Oldt Road Truck Restriction***

Mr. Alban stated that Keystone Consulting Engineers performed an evaluation of Oldt Road and determined that a truck restriction is warranted. A portion of Oldt Road already has such a restriction, and this would place the restriction on the remainder of the roadway.

Motion by Vice-Chairman Gill to adopt Ordinance #2020-01, restricting truck traffic on Oldt Road. Seconded by Supervisor Rader. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2020-01 is hereby adopted.

B. *Ordinance #2020-02 – Stormwater Management Ordinance Update*

Manager Ibach stated that the PA Department of Environmental Protection has developed a new 2022 Model Stormwater Ordinance; our current ordinance is based upon the 2013 DEP Model, which we will need to adjust to conform with the new model as part of our MS4 permit. This was

previously discussed with the Board at the July 2019 meeting and authorization was granted to prepare an updated ordinance.

Motion by Supervisor Rader to adopt Ordinance #2020-02, updating Chapter 17 – Stormwater, of the Township of Upper Macungie Code of Ordinances. Seconded by Chairman Gill. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2020-02 is hereby adopted.

VI. RESOLUTIONS

A. Resolution #2020-01 – Adoption of 2020 Fee Schedule

Manager Ibach stated that Township staff reviews and updates the Township Fee Schedule as needed each year and a draft has been provided to the Board for review.

Motion by Chairman Brunell to approve Resolution #2020-01, adopting the Upper Macungie Township Fee Schedule for the year 2020. Seconded Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2019-58 is hereby adopted.

B. Resolution #2020-02 – Police Pension Plan Required Contribution Reduction

Solicitor Schantz stated that the Township entered into an agreement with the Pennsylvania Municipal Retirement Board to provide a Police Pension Plan, and a Collective Bargaining Agreement with the police officers. This agreement requires an employee contribution of 4.5% for the 2020 calendar year.

Motion by Vice-Chairman Gill to approve Resolution #2020-02, authorizing a reduction in the required employee contribution to the Police Pension Plan to 4.5% for the year 2020. Seconded by Chairman Brunell. The motion passed unanimously. BE IT RESOLVED, Resolution #2020-02 is hereby adopted.

C. Resolution #2020-03 – Authorizing Township Manager to Sign DCED Police Wellness Grant Application

Chief Colón stated that he reached out to Senator Pat Browne’s office for funding to obtain a “Police Wellness App” which would be provided for all members of the Police Department and their spouses. The app provides for confidential resources and self-help tools for conditions such as Anger Management, Depression, Substance, and much more. The cost of the app is \$10,000 per year for three years, and a grant has been secured through DCED to cover its entire cost.

Motion by Chairman Brunell to approve Resolution #2020-03, authorizing the Township Manager to sign a DCED Police Wellness Grant Application. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2020-03 is hereby adopted.

VII. MOTIONS

A. Parkland Fields Development – Sidewalk Waiver Request

Mr. Martocci stated that K&M Associates has requested a waiver to construct a sidewalk on the east side of Krocks Road from its intersections of Sawgrass Drive and Winterberry Place in the Parkland Fields Development. The UMT Planning Commission discussed this at their December meeting and recommended denial of the request. Aerial maps and photos of the neighborhood were displayed and discussed.

Motion by Vice-Chairman Gill to deny a waiver request of SALDO Section 22-704.9.A. to K&M Associates, Inc. which requires construction of a sidewalk on the east side of Krocks Road from its intersections with Sawgrass Drive and Winterberry Place/Sunset Drive. Seconded by Supervisor Rader. The motion passed unanimously.

B. Authorizing Transfer of a Capital Improvements Plan Funds

Mr. Alban stated that the Township passed an ordinance in 1992 which established four Transportation Service Areas in the Township; certain development projects in those areas were assessed Traffic Impact Fees which were deposited into separate accounts to be used for Capital Improvements. Those improvements have been completed over the years with some of them being paid from the General Fund, which should be reimbursed at this time from the Transportation Service Area Accounts bringing their balances to zero and allowing their closure.

Motion by Chairman Brunell to authorize the transfer of funds from Fund 36, Transportation Service Area #1 in the amount of \$30,758.53; Transportation Service Area #3 in the amount of \$49.80; and Transportation Service Area #4 in the amount of \$5.00 to Fund 01 to reimburse the General Fund as described in the memo dated December 18, 2019 from Keystone Consulting Engineers for capital improvements previously made by the Township, which totals \$30,813.53. Seconded by Vice-Chairman Gill. The motion passed unanimously.

C. Authorizing Advertisement of Ordinance Repealing Ordinance #14-92

Mr. Alban stated that in conjunction with the previous agenda item, staff is requesting to prepare and advertise an ordinance repealing the CIP Ordinance as no further projects would be applicable and the Capital Improvements Plan can be closed out.

Motion by Supervisor Rader to authorize Township Staff to prepare and advertise an ordinance repealing Ordinance #14-92 in order to close out the UMT Capital Improvements Plan. Seconded by Chairman Brunell. The motion passed unanimously.

D. Authorizing the Liquidation of Excess Township Equipment for 2020

Mr. Faust stated that he would like permission to sell any excess equipment during the year; he would work with the Township Manager prior to the sale of each item. Any items above the \$2,000 threshold would be brought before the Board for approval.

Motion by Chairman Brunell to authorize the Director of Public Works to liquidate any excess township equipment, with the approval of the Township Manager. Seconded by Supervisor Rader. The motion passed unanimously.

E. Authorize to Proceed with Public Works Capital Purchases

Mr. Faust stated that he would like authorization to proceed with the purchase of capital equipment that is included in the 2020 budget.

Motion by Chairman Brunell to authorize the purchase of:

- (1) 2020 Ford F350 Chassis from Manderbach Ford at a cost of \$37,488.75
- (1) Reading Utility Body from Reading Truck Equipment at a cost of \$16,000.00
- (2) Exmark Lazer Mowers from Passmore at a cost of \$27,400.00
- (1) 2020 International Chassis from Lowe and Moyer at a cost of \$95,470.55
- (1) 2021 Mack Chassis from Trans Edge at a cost of \$136,328.00
- (1) 10' Body from E.M. Kutz at a cost of \$53,440.00
- (1) Ford Ranger from Manderbach Ford at a cost of \$31,997.05

Seconded by Vice-Chairman Gill. The motion passed unanimously.

F. Authorizing Memorandum of Understanding with Township Manager

Mr. Ibach stated that the Memorandum of Understanding he has with the Township is expiring and a draft of the new MOU has been provided to the Board for review.

Motion by Vice-Chairman Gill to authorize the execution of a renewal of a Memorandum of Understanding with the Township Manager Robert Ibach, Jr. for the period of January 6, 2020 through January 3, 2022. Seconded by Supervisor Rader. The motion passed unanimously.

G. Authorizing the Hiring of New Township Employees

Mr. Koller stated that two positions in the Township were vacant due to employees resigning and retiring; interviews were held with applicants to fill the position and staff recommends their appointment pending completion of their background checks.

Motion by Supervisor Rader to make a final conditional offer of employment to the following individuals pending completion of all background checks and qualifications:

- Jamie Almodovar, Receptionist, \$15.91/hour, effective December 26, 2019
- Brenda Bower, Utility Billing Clerk, \$15.91/hour, effective January 8, 2020

Seconded by Vice-Chairman Gill. The motion passed unanimously.

H. Authorization to Execute Agreement for Independence Day Fireworks Presentation

Mr. Ibach stated that they are planning for the "Village of Breinigsville Independence Day Fireworks Spectacular" and he recommends entering into an agreement with Celebration Fireworks at a cost not to exceed \$20,900.00. The cost is shared with the Schmoyer Funeral Home who sponsors the event every year.

Motion by Chairman Brunell to authorize the execution of an agreement with Celebration Fireworks, Inc. for the annual "Village of Breinigsville Independence Day Fireworks Spectacular" in an amount not to exceed \$20,900.00. Seconded by Supervisor Rader. The motion passed unanimously.

I. Authorization of Execution of Lease Agreement with New Enterprise Stone & Lime Company

Mr. Faust stated that New Enterprise Stone & Lime Company won the PennDOT bid for the Rt. 100 revitalization project and has requested to lease a portion of Township property to store equipment and materials. The compensation to the Township would be delivery of their millings.

Motion by Chairman Brunell to authorize the execution of a lease agreement with New Enterprise Stone and Lime Company to the satisfaction of Township Staff and Solicitor. Seconded by Vice-Chairman Gill. The motion passed unanimously.

VIII. BOARD AND STAFF REPORTS

A. Treasurer

The total bills from all funds for December 2019 was \$2,286,173.76. Supervisor Rader stated that she would abstain from voting on check #61946 which is for firefighter reimbursement to the Fogelsville Volunteer Fire Company as her son is a member there and he would directly benefit from the check. She requested that check be voted on separately.

Motion by Chairman Brunell to pay the bills for December 2019 in the amount of \$2,286,173.76, excluding check #61946. Seconded by Supervisor Rader. The motion passed unanimously.

Motion by Chairman Brunell to issue check #61946 in the amount of \$32,966 to Fogelsville Volunteer Fire Company. Seconded by Vice-Chairman Gill. The motion passed 2-0; Supervisor Rader – Abstain

B. Recreation Board

Ms. Matula stated that Kids' Noon Year's Eve, which was held at the Trexlertown Fire Company on December 29th, was well-attended. There were a lot of activities, games, and prizes for the kids; all free thanks to many sponsors. Further details appear in the December Recreation Report.

C. Community Development

Mr. Martocci stated that the Planning Commission was requested to review the Zoning Ordinance as it pertains to height restrictions of a building. The P/C determined they would first like to meet

with the Board of Supervisors to gain insight into their thinking before making any official recommendations. The ZO review was requested by an outside developer, and not initiated by the Township. It was discussed that any review should wait until after the current appeal regarding the same section of the Zoning Ordinance is decided. Discussion was also had regarding the parking issues at Madeline's Restaurant; Mr. Martocci stated his department was continuing to stay on that topic and is exploring all avenues for resolution. The department issued 85 permits in December, 45 of which were building permits, and an additional 11 permits for new structures. Further details appear in the December Community Development Report.

D. Engineer

Mr. Alban stated that the Rt. 100 Traffic Adaptive project has been installed and is currently operating in adaptive mode; however, two of the eight radar units are malfunctioning and replacements have been ordered. Chairman Brunell stated that even in its current state its clear that the system is working well. Mr. Alban stated that there is a Web User Interface to view the system video and data outputs, and that they will be receiving training on how to access it. Further details appear in the December Engineer's Report.

E. Police

Chief Colón stated that there were numerous successful events held over the holidays and highlighted the annual coat drive, Marine Corps Toys for Tots, and Heroes and Helpers. Chief also mentioned that they are in discussions with South Whitehall Township PD to provide temporary space for them in our headquarters while their municipal building and headquarters are undergoing renovations. Further details appear in the December UMTPD Report.

839	Total Calls for Service
38	Reportable MVAs
51	Non-Reportable MVAs
10	Private Property MVAs
17	Criminal Arrest (Misdemeanor/Felony)
6	Non-Traffic Citations (Summary)
208	Traffic Citations
13	Parking Tickets
63	Written Warnings
80	False Alarms
0	Arsons
3	Assaults
0	Burglaries
10	Disturbing the Peace
6	Drug/Alcohol Violations
19	DUI Offenses
7	Fraud Crimes
0	Homicides
0	Motor Vehicle Thefts
0	Robberies
0	Sex Offenses
12	Thefts
4	Vandalism/Criminal Mischiefs
3	Vehicle Break-In/Thefts
0	Weapon Offenses

**General Business Meeting
January 6, 2020**

F. Fire/EMS

Mr. Grim reported a donation by Behr Paint to repaint the entire engine bay at Station #56, that The Fitness Plaza would again provide free memberships to all volunteer fire department members for the year 2020, and that Lutron Electronics donated \$1,000 to each of our three fire departments. Further details appear in the December Bureau of Fire Director's Report.

G. Public Works

Nothing to add. Further details appear in the December Public Works Report.

H. Secretary

Mr. Sostarecz stated that the Board of Supervisors conducted one Executive Session: January 6, 2020 at 6:00 p.m. – the topic was Personnel.

I. Manager

Manager Ibach stated the Township will begin administering the program to inspect sewer connections in properties within the Rabenold Pump area to be sure that "clear water" is not entering the system. Also, that an insert about stormwater would be going out in the Refuse & Recycling bills. Finally, he wanted to recognize Supervisor Rader's article in the PSATS magazine.

J. Solicitor

Nothing to add.

K. Board

i. Chairman Brunell

Nothing to add.

ii. Vice-Chairman Gill

Nothing to add.

iii. Supervisor Rader

Nothing to add.


IX. PUBLIC COMMENT/COURTESY OF THE FLOOR

None

X. ADJOURNMENT

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

Submitted by:



Kalman A. Sostarecz, Jr.
Township Secretary



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