

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, 2025, 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; Andrew V. Schantz, Esq., Solicitor; Michael Sitoski, Chief, UMTPD; Ryan Kern, 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. PUBLIC HEARING

A. Interim SALDO Update

Motion by Chairman Fleischaker to open the public hearing on the matter of proposed amendments to Chapter 22- Subdivision and Land Development, Parts 2, 4, 5, 7, and 8 of the UMT Code of Ordinances. Seconded by Supervisor Brunell. Motion passed unanimously.

Chairman Fleischaker stated that the hearing was regarding ordinance #2025-01 Proposing to amend Chapter 22- Subdivision and Land Development, Parts 2, 4, 5, 7, and 8 of the UMT Code of Ordinances. The proposed ordinance will amend Part – 2 – Definitions, Part 4 – Preliminary Plan Submission Procedures and Requirements, Part 5 – Final Plan Submission Procedures, Requirements and Recording, Part 7 – Design Standards, and Part 8 – Improvement Specifications as set forth in more detail in the body of the ordinance. The Board of Supervisors would not act during the Hearing; however, the Board is scheduled to act on it during an agenda item later in this meeting. Solicitor Schantz stated that the hearing was published in the December 11th and December 18th, 2024, editions of the *Parkland Press*. Nicole Gallio, who represents Jaindl Land Company, stated that she had some concerns with the proposed update to the SALDO. Solicitor Schantz recommended that with the number of changes that were being proposed, the deferral of the adoption of the proposed Interim SALDO Update to a later date was recommended.

Motion by Supervisor Brunell to close the public hearing on the matter of proposed amendments to Chapter 22, Parts 2, 4, 5, 7, and 8 of the UMT Code of Ordinances. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

III. ADDITIONS/DELETIONS TO THE AGENDA

NONE

IV. MINUTES & FINANCIALS

A. Minutes – December 5, 2024

B. Financials – December 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 December 5, 2024, and approve as submitted, and authorize the payment of the bills for December 2024 in the amount of \$7,247,031.55.

Seconded by Vice-Chairman Ghai. Motion passed unanimously.

V. PRESENTATIONS

NONE



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VI. DISCUSSIONS & UPDATES

NONE

VII. ORDINANCES

A. Ordinance 2025-01 – Interim SALDO Update

Motion by Chairman Fleischaker to table the motion to adopt Ordinance #2025-01, Interim SALDO Update, until a summary of changes made by Township Staff, Engineers, and Solicitor has been advertised. Seconded by Supervisor Brunell. Motion passed unanimously.

VIII. RESOLUTIONS

A. Resolution 2025-01 – Adoption of 2025 Fee Schedule

Mr. Ibach stated that the Township must adopt a Fee Schedule every year to impose the fees upon its residents and any other person or entity conducting business within the Township.

Motion by Chairman Fleischaker to adopt Resolution #2025-01, Upper Macungie Township's Fee Schedule. Seconded by Supervisor Brunell. Motion passed unanimously.

B. Resolution #2025-02 – Docket #2355 – TransEdge – Final Land Development Plan

Mr. Sostarecz stated that this project involves the demolition of the northern-most existing building and construction of a new 33,075 square foot building in its place, along with dedicated tractor-trailer parking and employee parking spaces. There are two (2) additional existing buildings which will remain. This plan received Preliminary Plan approval by the Board of Supervisors on September 5, 2024. The final plan has been revised to eliminate a portion of the northwest parking area located over an underground pipeline.

Motion by Supervisor Brunell to adopt Resolution #2025-02, Final Subdivision & Land Development Plan approval to Docket #2355, TransEdge Truck Centers, including approval of waiver request number 4, all conditioned upon the Township Engineer Review Letter dated December 18, 2024. Seconded by Chairman Fleischaker. Motion passed unanimously.

C. Resolution #2025-03 – Docket #2388 – Ocean Spray Wastewater Treatment Expansion, 151 Boulder Drive. Preliminary/Final Minor Land Development Plan

Mr. Sostarecz mentioned that the applicant proposes to expand an existing onsite wastewater treatment facility with the addition of three shipping containers, a stone bed, a concrete sidewalk, and an accessway for forklifts. Timothy Casey, from Gilmore and Associates and Nicole Scriff from Ocean Spray were present and stated that any new equipment that would be installed would comply with the Township's Noise Ordinance.

Motion by Chairman Fleischaker to adopt Resolution #2025-03, granting Preliminary/Final Minor Land Development Plan approval to Docket #2388, Ocean Spray Wastewater Treatment Expansion, conditioned upon the Township Engineer Review Letter dated December 19, 2024. Seconded by Supervisor Brunell. Motion passed unanimously.

D. Resolution #2025-04 – Docket #2197 – Towneplace Suites by Marriot – Recalling of Deferral

Chairman Fleischaker recused himself from the business matter and voting of Resolution 2025-04, due to a conflict of interest. Vice-Chairman Ghai introduced the Resolution and stated that he had a personal relationship with the applicant but that it would not hinder his ability to make a decision on this matter. Mr. Sostarecz mentioned that the Upper Macungie Township Vision Zero Action Plan was adopted in 2023; this plan envisions the installation of sidewalks and other pedestrian/multi-modal pathways throughout the township. Township Staff and Consultants reviewed this plan and compared it to the sidewalk deferrals which were previously granted by the Township. The deferral that was granted for the applicant aligns with the VZAP plan and

should be recalled at this time. Paul McNemar mentioned that the Planning Commission recommended that all sidewalk deferrals be recalled, including the installation of a sidewalk and curbing along Tilghman Street to improve the safety and walkability of the Township for the residents of the Township.

Motion by Supervisor Brunell to approve Resolution 2025-04, recalling the sidewalk deferral for Docket #2197 – Towneplace Suites by Marriot. Seconded by Vice-Chairman Ghai. Motion passed 2-1, Chairman Fleischaker recused himself from voting.

E. Resolution #2025-05 – Docket #2157 – Lehigh Valley West II, Lot 9B – Land Development – Recalling of Deferral

Mr. Sostarecz stated that the sidewalk deferral that was granted aligns with the VZAP Plan, therefore the sidewalk deferrals that were granted should be recalled.

Motion by Chairman Fleischaker to adopt Resolution #2025-05, recalling the sidewalk deferral for Docket #2157 – Lehigh Valley West II, Lot 9B. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

F. Resolution #2025-06 – Docket #2271 – 7201 Hamilton Boulevard/Air Products/Evonik Corporation – Recalling of Deferral

Mr. Sostarecz stated that the sidewalk deferral was being recalled to align with the VZAP Plan. Dawn Gallagher who represents the Evonik Corporation provided clarification that the recalling of the sidewalk applies only to the portion of the property pertaining to the Evonik Corporation.

Motion by Supervisor Brunell to approve Resolution #2025-06, recalling the sidewalk deferral for Docket #2271 – 7201 Hamilton Boulevard/Air Products Campus/Evonik Corporation. Seconded by Chairman Fleischaker. Motion passed unanimously.



Resolution #2025-07 – Docket #2316 – Fallbrooke Subdivision Plan – Recalling of Deferral

Mr. Sostarecz mentioned that the sidewalk deferral that was granted for Docket #2316 – Fallbrooke Subdivision Plan also aligns with the VZAP Plan and is being recalled.

Motion by Chairman Fleischaker to approve Resolution #2025-07, recalling the sidewalk deferral for Docket #2316 – Fallbrooke Subdivision. Seconded by Supervisor Brunell. Motion passed unanimously.

VIII. MOTIONS

A. Awarding IT and Phone Contract for the Community Center

Mr. Ibach stated that the contract quote is from two cooperative purchasing entities, Sourcewell and PASC. ET&T is our current provider of IT and phone systems, hardware, and services; using them at the new center will provide a smoother integration with our current systems.

Motion by Supervisor Brunell to award and authorize the Township Manager to execute the contract for the Community Center's IT and phone systems with ET&T in the amount of \$169,927.59. Seconded by Chairman Fleischaker. Motion passed unanimously.

B. Authorizing Liquidation of Excess Township Equipment for 2025

Mr. Faust requested that the Board authorize the motion to liquidate excess Township equipment for the year 2025, with the authorization of the Township Manager.

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

C. LCA Agreement for Sewer Pump Station Maintenance

Mr. Ibach stated that the Township's sanitary sewer system has one licensed operator, who will be retiring within the next couple of months. This agreement would provide full service to the Township, although Township Staff will be able to provide basic maintenance services to the stations, reducing the cost per hour provided in the agreement.

Motion by Vice-Chairman Ghai to authorize the Township Manager to execute an agreement with Lehigh County Authority for the maintenance of Upper Macungie Township's sanitary sewer pump stations and to provide an on-call licensed operator for the system. Seconded by Chairman Fleischaker. Motion passed unanimously.

D. Authorizing No Nonsense Neutering Agreement for 2025

Chief Sitoski mentioned that this agreement is needed to provide neutering and vaccination services for feral and free roaming cats in the township.

Motion by Chairman Fleischaker to authorize an agreement with No Nonsense Neutering to provide neutering/vaccination services for feral/free roaming cats in the Township. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

E. Appointing Keystone Consulting Engineers as Project Engineers

Mr. Ibach stated that Keystone Consulting Engineers would be appointed as project engineers for 2025 as the transition is made to the newly appointed Township Engineers, HRG.

Motion by Chairman Fleischaker to appoint Keystone Consulting Engineers as Project Engineers. Seconded by Vice-Chairman Ghai. Motion passed unanimously.

F. Authorizing the Extension of the Time Limitations for Recording of Docket #2357 – XPO Expansion and Docket #2048B – Mosser Road Revised Final #2

Mr. Starecz mentioned that both plans were approved on September 5, 2024. The conditions of approval included the requirement to provide all plans and documents needed for the recording of the plan to the Township Engineer within 120 days. The developer is completing these items but has requested an extension to finalize these items. This would be the first extension received for both projects.

Motion by Chairman Fleischaker to authorize an extension of the time limitation for the recording of Docket #2357 – XPO Expansion and Docket #2048B – Mosser Road Revised Final Plan #2, for an additional 120 days ending on May 3, 2025. Seconded by Supervisor Brunell. Motion passed unanimously.

G. Authorizing Alcohol Sales at 2025 Township Events

Mr. Griffiths stated that Upper Macungie Recreation Staff is looking to increase engagement at Township Events by adding additional elements for enjoyment. One such element is the availability of alcohol sales.

Motion by Vice-Chairman Ghai to approve vendors to serve alcohol at the following township run events: Winterfest, Bunny Hop Trunk Hunt, Concerts in Park, Movies in the Park, Barktoberfest, and Trunk or Treat Trail, contingent upon completion by the selected vendor of Upper Macungie Township Certificate of Insurance Alcohol Liability Additionally Insured Requirements, proof of Responsible Alcohol Management Program (RAMP) Employee Certifications, and proof of Pennsylvania Liquor Control Board (PLCB) Exposition Permit verified by township staff including but not limited to the Recreation Manager, Chief of Police, Township Solicitor, and Finance Director. Seconded by Chairman Fleischaker. Motion passed unanimously.

IX. BOARD AND STAFF REPORTS

A. *Township Manager*

Mr. Ibach stated that he is looking forward to 2025, and that there will be some changes coming along for Staff, the Board, and our Township Residents.

B. *Township Secretary*

Ms. Vazquez stated that there were executive sessions held on the following dates and times: December 10, 2024, at 10:30 a.m., 1:30 p.m., 3:00 p.m.; December 17, 2024, at 1:30 p.m. and 3:00 p.m.; December 18, 2024, at 9:00 a.m. and 10:30 a.m.; and December 19, 2024, at 8:30 a.m., all sessions were related to personnel. There was a session held on January 6, 2025, at 5:45 p.m. and the topic discussed was labor negotiations. She also encouraged residents to subscribe via the Township Website to obtain the latest information about the latest news and events that are occurring in the Township.

C. *Director of Community Development and Assistant Township Manager*

Mr. Sostarecz provided an update on the progress of the new software program from Tyler Technologies that will allow electronic submittal and payments of permits. This program is scheduled to go live on May 1, 2025.

D. *Township Engineer*

Mr. Ryan Kern of HRG thanked the Township for the opportunity and is looking forward to working with Township staff and consultants.

E. *Parks and Recreation*

Mr. Griffiths stated that the first monthly newsletter was sent via email in January, that helped boost registrations for several upcoming programming that has now been maxed out and have waiting lists. Kid's Noon Year's Eve had approximately 1,500 participants join us at Grange Park and watch our ballon drop. The Parks, Rec, and Open Space Survey has received 1,084 responses, exceeding the goal of 1,000.

F. *Supervisors*

Chairman Fleischaker mentioned that he will be attending the monthly breakfast that is held at Station 25 on January 12, and that he will be available to have conversations with anyone that would like to.

X. PUBLIC COMMENT/COURTESY OF THE FLOOR

NONE

XI. ADJOURNMENT

There being no other business, **Vice-Chairman Ghai made a motion to adjourn the meeting at 8:51 p.m. Seconded by Chairman Fleischaker. The motion passed unanimously.**

Submitted by:



Jazmin Vazquez
Township Secretary

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