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**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 February 5, 2026, at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were Jeff Fleischaker, Chairman; Julien Godbarge, Vice-Chairman; Sunny Ghai, Supervisor; Robert Ibach, Jr., Township Manager; Meredith Keller, Director of Community Development; Jazmin Vazquez, Township Secretary; Andrew V. Schantz, Esq., Solicitor; Chief Michael Sitoski, UMTPD; Commissioner Peter Christ, Bureau of Fire; Stan Wojciechowski, Township Engineer; Scott Faust, Public Works Director; Ryan Griffiths, Recreation Manager; and Michelle Souls, Finance Director.

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. Conditional Use – Sheetz Windsor**

A public hearing was held regarding the conditional use application of Sheetz Windsor for a property consisting of two contiguous lots at 871 North PA Route 100, Allentown, PA 18106, and 7535 West Tilghman Street, Allentown, PA 18106.

Township Solicitor Andrew Schantz noted that the hearing was properly advertised in the Parkland Press on January 21 and January 28, 2026. He explained that all three supervisors were present, constituting a quorum. Solicitor Schantz outlined the legal standards for conditional use applications, noting that once the applicant meets their burden, the burden shifts to objectors to prove that the use would adversely impact health, safety and welfare beyond what was contemplated when the ordinance was established.

Community Development Director Meredith Keller provided a brief introduction, explaining that the applicant was requesting conditional use to permit construction of an auto service station with accessory convenience store and seating for more than 10 patrons, including a drive-up window service. Both uses (auto service station and convenience store) are conditional uses in the zoning ordinance. The Planning Commission reviewed the application on January 21, 2026, and recommended approval with four conditions.

Julie Wagner Burkart, attorney for Sheetz Inc., presented the application for the 3.8-acre development which would include a 6,139 square foot convenience store with indoor dining, 12 gas fueling positions, and a pickup window. She noted they had received a favorable conditional use review memorandum dated January 16, 2026, and had met with township staff on February 2 to review recommendations.

Victor Grande of Rettew Associates, project engineer, testified about the site design, confirming the plan complied with all conditional use requirements for auto service stations and restaurants. He described site access points from both Route 100 and Tilghman Street, landscaping, buffering, and parking (47 spaces provided, exceeding the 44 required). He confirmed that all utilities, stormwater management, and emergency vehicle access had been addressed in the plan.

David Smith, Senior Real Estate Site Selector for Sheetz, testified that the company currently operates 821 facilities nationwide with 315 in Pennsylvania. He described safety measures including cameras, trained staff, double-walled underground storage tanks with sensors, and breakaway hoses. He explained that the pickup window (not a traditional drive-through) is operated through mobile app orders with typically no more than two vehicles in line during peak hours.

Eric Mountz, traffic engineer, testified that the existing medium volume driveway permits from 2004 would accommodate the project traffic. He explained that 75% of convenience store customers are already passing by on surrounding roadways, resulting in minimal new traffic generation (70-100 additional peak hour trips).

During public comment, Michael Gross, representing his wife Abigail Gross who owns the property at 7619 Tilghman Street, expressed concerns about health impacts, crime statistics related to gas stations, and quality of life impacts including light pollution and noise. Daniel Zeroka of 7617 Tilghman Street also expressed similar concerns.

**Motion by Chairman Fleischaker to adjourn the public hearing on the matter of an conditional Use Application for Sheetz Windsor. Seconded by Supervisor Ghai. Motion passed unanimously.**

**III. ADDITIONS/DELETIONS TO THE AGENDA**

NONE

**IV. MINUTES & FINANCIALS**

A. *Minutes – January 5, 2026 – Organization & General Business Meeting*

B. *Financials – January 2026*

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 January 5, 2026 Organization & General Business Meeting and approve as submitted and authorize the payment of the bills for January 2026 in the amount of \$7,419,028.40. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.**

**V. PRESENTATIONS**

A. *Grant Awards – Ryan Griffiths*

Mr. Griffiths presented information about three grant awards recently received by the township. Two grants of \$250,000 each were awarded for the Grange Park Loop Trail - one from DCED for the Greenways Recreation Trails Program and another from DCNR's Community Conservation Partnership Program. A third grant was awarded for Grange Park basketball court improvements through the DCED Local Share Account grant. He also shared a general timeline for these projects. For the Grange Park Loop Trail, the township is finalizing grant agreements in February, with potential construction beginning March through October 2027. For the basketball court improvements, work could begin as early as this summer with completion anticipated by fall.

**VI. DISCUSSIONS & UPDATES**

None

**VII. ORDINANCES**

A. *Ordinance #2026-02 – Vacation of a Portion of Main Street in Fogelsville*

This item was tabled to the March 5, 2026, Meeting of the Board of Supervisors.

**VIII. RESOLUTIONS**

A. *Resolution #2026-05 – Fee Schedule Update*

Commissioner Christ introduced the resolution to update the fee schedule to include fire extinguisher training. He explained that the Fire Bureau had received numerous commercial business requests for this training. After

discussion, the Board decided to charge a fee of \$250 for up to 10 students, but only for commercial purposes. The Board wanted to ensure that residential training and educational training for schools would remain free.

**Motion by Chairman Fleischaker to adopt resolution 2026-05, updating Upper Macungie’s Fee Schedule specific to Schedule “H” adding for a fee for fire extinguisher training for commercial purposes only, while maintaining free training for residential and educational purposes of \$250.00 for ten (10) students and \$25.00 for each additional student. Seconded by Supervisor Ghai. Motion passed unanimously.**

**B. Resolution #2026-06 – Docket #2420, Sheetz Windsor – Conditional Use**

Solicitor Schantz stated that there was a public hearing that was held earlier during the meeting and that the Conditional Use for Docket #2420, Sheetz Windsor was now before the Board for action.

**Motion by Chairman Fleischaker to adopt Resolution #2026-06, approving the conditional use for Sheetz Windsor with the following conditions: (1) conformity with testimony and exhibits provided, (2) compliance with review letters from Meredith Keller dated January 16, 2026, Marv Walton dated January 12, 2026, HRG dated January 16, 2026, and Chief Christ dated January 6, 2026, and (3) eastern access from Windsor subject to staff and solicitor review and approval. Seconded by Supervisor Ghai. Motion passed unanimously.**

**C. Resolution #2026-07 – Docket #2336 – Sunset Orchards, Schantz & Ruppsville Road – Preliminary Land Development**

Ms. Keller explained that the applicant was proposing to consolidate two existing lots and construct a residential development consisting of 197 townhouse units and 6 single-family semi-detached twin-style homes with associated site improvements. The application included three waivers from sections of the Township SALDO. Ms. Keller noted that the township had requested side paths in lieu of sidewalks to be consistent with the Vision Zero Action Plan, and the applicant had complied.

The applicant’s representatives confirmed they would meet all requirements in staff and engineering review letters. They explained the project would be built in three phases, starting from Schantz Road and moving toward Bastian Lane. In response to questions about traffic improvements, they confirmed a right turn lane would be added for traffic heading west on Schantz Road turning north onto Ruppsville Road.

Several neighboring property owners expressed concerns about traffic congestion, potential water runoff onto adjacent farmland, and buffering between the development and existing properties. The Board and applicant addressed these concerns, noting that each phase would need to stand on its own with appropriate turnarounds for emergency vehicles and that stormwater management would be closely regulated through agreements with the HOA.

**Motion by Supervisor Ghai to adopt Resolution #2026-07, granting Preliminary Subdivision and Land Development Plan Approval for Docket #2636 Sunset Orchards, including the approval of Waiver Request #1, #2, and #3, all conditioned on the Staff and Engineer Review Letters dated January 29 and January 26, 2026, respectively. Seconded by Chairman Fleischaker. Motion passes unanimously.**

**D. Resolution #2026-08 – Docket #2343, 121 Nestle Way and 8361 Schantz Road – Preliminary Land Development and Lot Consolidation**

Ms. Keller presented the application which proposed consolidation of eight (8) parcels bounded by Schantz Road, Nestle Way, and Schantz Road, and the demolition of existing residential buildings and accessory structures. The plan called for construction of an 82,167 square foot warehouse with associated parking, stormwater management, and other site improvements. A special exception approval had been granted by the Zoning Hearing Board in December 2023 with 14 conditions, all of which were addressed in the plan.

**Motion by Vice-Chairman Godborge to adopt Resolution #2026-08, granting Preliminary Lot Consolidation and Land Development Plan Approval for Docket #2343 121 Nestle Way & 8361 Schantz**

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Road, conditioned on the Staff and Township Engineer review Letters dated January 29 and January 26, 2026, respectively. Seconded by Chairman Fleischaker. Motion passed unanimously.

**E. Resolution #2026-09 – Docket #2265A – Revoking Plan for Trexlertown Retail Center**

Solicitor Schantz explained that this previously approved plan had been granted conditional final land development approval on November 7, 2024, with the condition that all plans and documents needed for recording be provided to the Township Engineer within 120 days. Despite multiple attempts to seek compliance, the applicant had not secured financial security, which was the missing piece for plan recording. Jim Preston, attorney for the applicant, and Jin Dye, the applicant, explained that they had encountered delays with their bank, which had been involved in a merger. They provided a letter from the bank indicating interest in financing the project, with an expected 60-day timeframe to complete the process. After discussion, the Board agreed to provide a 90-day extension with the understanding that this would be the final extension.

**Motion by Chairman Fleischaker to amend Resolution #2026-09, to grant a one-time 90-day extension expiring on May 6, 2026, for Docket 32265-A – Trexlertown Retail Center. Seconded by Supervisor Ghai. Motion passed unanimously.**

**F. Resolution #2026-10 – Appointing Barry Isett as the Township’s Code Enforcement Officer**

Ms. Keller stated that following the resignation of the township's code enforcement officer, Barry Isett and Associates had been filling in on an interim basis. In order to issue non-traffic citations or file civil complaints, the code enforcement officer needed to be formally appointed by the Board.

**Motion by Supervisor Ghai to adopt Resolution #2026-10, appointing Barry Isett & Associates as the Township’s Code Enforcement Officer. Seconded by Chairman Fleischaker. Motion passed unanimously.**

**VIII. MOTIONS**

**A. Authorizing a Zoning Update for Height of Automated Storage and Retrieval Systems in the Light Industrial and Limited Light Industrial Districts**

Solicitor Schantz explained that while the Township is updating and completely rewriting its zoning ordinance, certain technologies and uses not in the current ordinance need to be implemented sooner. The proposed amendments would allow Automated Storage and Retrieval Systems (ASRS) with a maximum height of 120 feet in the LI and LL zoning districts, provided they are part of a manufacturing facility in a campus-like setting and occupy no more than 20% of the overall footprint. Supervisor Ghai expressed concern about including this use in the Light Industrial district, preferring to limit it to the Limited Light Industrial district.

**Motion by Chairman Fleischaker to authorize the advertisement of an ordinance proposing and amendment to the Zoning Ordinance for Automated Storage and Retrieval Systems (AS/RS) to be considered for adoption at the April 2, 2026, Board of Supervisors Meeting, authorizing Staff to send the Draft Zoning Ordinance Amendment for Automated Storage and Retrieval Systems (AS/RS) to the Lehigh Valley Planning Commission and Upper Macungie Township Planning Commission for recommendation, and authorizing the advertisement of a Public Hearing for April 2, 2026, for the Zoning Ordinance Amendment for Automated Storage and Retrieval Systems (AS/RS). Seconded by Vice-Chairman Godbarge. Motion passed 2-1; Supervisor Ghai opposed.**

**B. Authorizing Staff to Advertise and Schedule a Public Hearing for a Zoning Ordinance Update for April 2, 2026**

Authorization was included with Motion “A”.

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**C. Authorizing the Advertisement of a Public Hearing and Adoption of the LERTA Ordinance for March 5, 2026**  
Solicitor Schantz stated that LERTA (Local Economic Revitalization Tax Assistance) would designate certain underutilized areas where property tax abatements could be offered as incentives for improvements. The process requires a public hearing to identify the designated area, followed by adoption by resolution and then by ordinance.

**Motion by Vice-Chairman Godbarg** to authorize the advertisement of an Ordinance establishing proposing a LERTA delineating an area bound by Route I-78 to the South; Adams Road to the West; Main street to the North, and Lehigh County Parcel Number 545640893833-1 (8400 Main Street) to the East as under-utilized properties and to be eligible for LERTA which shall be considered for adoption at the March 5, 2026 Board of Supervisors meeting. Seconded by Chairman Fleischaker. Motion passed unanimously.

**Motion by Vice-Chairman Godbarg** to authorize the advertisement of a Public Hearing for March 5, 2026, for the establishment of the area to be designated as areas which are under-utilized and in need of development and which will be recognized as such in the LERTA Ordinance. Seconded by Chairman Fleischaker. Motion passed unanimously.

**D. Authorizing the Township Manager to Provide Food and Lodging During Township Declared Emergencies, Including the Weather Event on January 25 and 26, 2026.**

Mr. Ibach explained that during certain emergencies, staff in essential services like police, fire, and public works cannot get home and need food and lodging. This occurred during the recent storm on January 24-26, 2026, when the Fire Commissioner housed firefighters, and there were food expenses for the public works department.

**Motion by Supervisor Ghai** to authorize the Township Manager to cover any cost for food and lodging with the January 24-26, 2026, snowstorm and further authorizing the Township Manager to allow for Township expenses for food and lodging during declared emergencies. Seconded by Chairman Fleischaker. Motion passed unanimously.

**E. Authorizing the Township Manager to Enter into a Cable Franchise Agreement**

Mr. Ibach explained that while the township has existing franchise agreements with Service Electric and RCN, Verizon had approached the township to enter into a franchise agreement as well. He noted that the township currently does not charge a franchise fee, though many municipalities do. Solicitor Schantz added that these agreements specify providers' rights and obligations regarding right-of-way access and response times. He noted that the Service Electric agreement was about to expire and would also need renewal. During discussion, concerns were raised about contractors damaging property when installing infrastructure, as had happened in the past. The Board requested that agreements include proper notification to residents, designated contact persons, and accountability for contractors.

**Motion by Chairman Fleischaker** to authorize the Township Manager to execute a cable franchise agreement with Verizon Pennsylvania LLC, pending the Solicitor's approval of contract conditions. Seconded by Vice-Chairman Godbarg. Motion passed unanimously.

**F. Appointing Jacqueline Tindall as the Assistant Township Secretary**

Ms. Vazquez stated that the assistant Township Secretary position is currently vacant and recommended the appointment of Jacqueline Tindall to fill the role in case she would be unable to attend a meeting or be available to sign paperwork.

**Motion by Supervisor Ghai** to appoint Jacqueline Tindall as the Assistant Township Manager. Seconded by Chairman Fleischaker. Motion passed unanimously.

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**G. Appointing Tammy Antonelli as the Deputy Right-to-Know Officer**

Ms. Vazquez mentioned that this position was also vacant and recommended the appointment of Tammy Antonelli to fill the roll in case she is unavailable to fulfill requests.

**Motion by Chairman Fleischaker to appoint Tammy Antonelli as the Deputy Right-to-Know Officer. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.**

**H. Appointing Julien Godbarge and Michael Sicinski as Township Board Representatives on the Upper Macungie Township Community Fund Board**

Mr. Ibach explained that the Township Board of Supervisors as well as the Chairman of the Recreation Board are positions that are part of the Upper Macungie Township Community Fund Board (UMTCF) and are seeking to appoint Julien Godbarge and Michael Sicinski to the UMTCF Board.

**Motion by Supervisor Ghai to appoint Julien Godbarge and Michael Sicinski as Township Board Representatives on the Upper Macungie Township Community Fund Board. Seconded by Chairman Fleischaker. Motion passed unanimously.**

**I. Recognizing the Expiration of Jeff Straus and Scott Adams as Deputy Tax Collectors and Appointing Kristen Schmidt Hodavance as Deputy Tax Collector**

Mr. Ibach stated that under the Local Tax Collector Law, a Tax Collector is allowed to appoint a deputy tax collector of their choice, with the approval of the municipality for which the Tax Collector was elected.

**Motion by Vice-Chairman Godbarge to appoint Kristen Schmidt Hodavance as Deputy Tax Collector of Upper Macungie Township effective February 6, 2026, and further recognizing the expiration of Jeff Straus and Scott Adams as Deputy Tax collectors. Seconded by Supervisor Ghai. Motion passed unanimously.**

**J. Authorizing the Township Manager to Enter into a Contract for Sewer Lateral Repairs with Mr. Rehab**

Mr. Ibach explained that this project is part of Upper Macungie Township's Source Removal Program to comply with the PA DEP approved Interim Act 537 Plan and to maintain the SRP schedule moving into the new Act 537 Plan.

**Motion by Supervisor Ghai to authorize the Township Manager to sign a contract for the use of Mr. Rehab, LLC for sanitary sewer lateral inspections and repairs in the amount of \$86,027.50. Seconded by Chairman Fleischaker. Motion passed unanimously.**

**K. Updating the Approval of Alcohol Sales at Township Events**

Mr. Griffiths stated that at the January 5, 2026 meeting, the Board approved the sale of alcohol at specific Township events, after this approval Staff finalized an agreement with the Lehigh Valley Chamber of Commerce to host the Paws at the Parks Event. He recommended the approval of the sale of alcohol at this additional event.

**Motion by Chairman Fleischaker to approve vendors to serve alcohol at an additional township run event – Paws at the Park, contingent upon the completion by the selected vendor of Upper Macungie Township Certificate of Insurance Alcohol Liability Additionally Insured Requirements, proof of Responsible Alcohol Management (RAMP) Employee Certifications, and proof of Pennsylvania Liquor Control Board (PLCB) Exposition Permit verified by the Township Staff including but not limited to the Township Manager, Recreation Manager, Chief of Police, Township Solicitor, and Finance Director. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.**

**L. Authorizing the Sale of a 2014 Chevy Silverado 2500 HD**

Commissioner Christ requested that the Board approve the sale of a 2014 Chevrolet Silverado and a 2019 Chevrolet Tahoe.

**Motion by Vice-Chairman Godbarge to authorize the sale of a 2014 Chevrolet Silverado at a purchase price of \$28,000.00 to Laury's Station Volunteer Fire Company #1, and the sale of a 2019 Chevrolet Tahoe at**

a purchase price of \$23,000.00 to the Fountain Hill Fire Company. Seconded by Supervisor Ghai. Motion passed unanimously.

**M. Authorizing the Sale of a 2019 Chevrolet Tahoe**

Item was included in the previous motion.

**N. Authorizing the Transfer of Funds to Upper Macungie Township Fire & Rescue Company, Station 57, to Support the Staffing Program**

Commissioner Christ requested the transfer of funds to support the retention and improvement fund for the staffing program at Upper Macungie Fire & Rescue Station 57.

*Motion by Chairman Fleischaker to authorize the use of Recruitment & Retention Funds to support Upper Macungie Township Fire & Rescue, Station #57, Staffing Program in the amount of \$50,000.00. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.*

**O. Authorizing an Agreement with Keystone Municipal Solution for the Purpose of Conducting a Township Manager Search**

Chairman Fleischaker explained that the Township Manager had informed the Board that 2026 would mark the end of his professional career. After interviewing several recruiting firms, the Board had settled on Keystone Municipal Solutions, which quoted a price of \$12,000, for the search.

*Motion by Chairman Fleischaker to authorize an agreement with Keystone Municipal Solutions for the Purpose of Conducting a Township Manager Search. Seconded by Supervisor Ghai. Motion passed unanimously.*

**IX. BOARD AND STAFF REPORTS**

**A. Township Manager**

Mr. Ibach reported that the elected Board of Auditors had met on January 6, 2026 and set the working supervisor's pay at \$57.00 per hour, a 3% increase from 2025.

**B. Township Secretary**

Ms. Vazquez stated that there were executive sessions held on January 13, 2026, at 5:30 p.m. and January 30, 2026 at 12:45 p.m. to discuss personnel matters, and on February 5, 2026, at 5:00 p.m. to discuss legal matters.

**Community Development**

Ms. Keller provided a brief update on the zoning ordinance rewrite, noting good progress with the new consultant and an anticipated update soon.

**D. Police Department**

Chief Sitoski mentioned that their No Shave Campaign has concluded with a donation of \$2,460 that was raised and will be donated to the Humane Society.

**E. Finance Department**

Ms. Souls stated that the recycling events for 2026 have been scheduled for the following dates: Paper Shredding on April 11 from 9-11 a.m., and the Electronic Recycling Event will be held on May 2.

**F. Supervisors**

Chairman Fleischaker congratulated Charles Deprill on being recognized as one of the most influential people in the Lehigh Valley.

**X. PUBLIC COMMENT/COURTESY OF THE FLOOR**

None.

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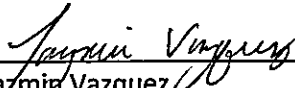
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**XI. ADJOURNMENT**

There being no other business, Supervisor Ghai made a motion to adjourn the meeting at 11:03 p.m. Seconded by Vice-Chairman Godbarge. The motion passed unanimously.

Submitted by:

  
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Jazmin Vazquez  
Township Secretary



