

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS**

The Board of Commissioners met in regular session on March 17, 2011 in the Township Building, 3400 Brookside Road, Macungie, PA 18062.

CALL MEETING TO ORDER

President Reis called the meeting to order at 7:05 p.m.

PLEDGE TO THE FLAG

ROLL CALL

Roger C. Reis, President	Present
Ryan T. Conrad, Vice-President	Present
Douglas Brown, Commissioner	Present
Ron H. Eichenberg, Commissioner	Present
Joseph Pugliese, Commissioner	Present
William A. Erdman, Township Engineer	Present
Renea Flexer, Township Secretary	Present
Bruce E. Fosselman, Township Manager	Present
Sara Pandl, Director of Planning	Present
Richard Somach, Township Solicitor	Present
Cassandra Williams, Director of Finance	Present
Darryl Yothers, Township Treasurer	Absent

ANNOUNCEMENTS & PRESENTATIONS

1. An executive session was held before the meeting to discuss the settlement in the Deibert case; a lawsuit brought against the Township.

HEARINGS & APPROVALS – None

PUBLIC COMMENT ON NON-AGENDA TOPICS

1. Mike Policano, 1813 Alexander Dr., asked the Board to revisit the permit application for a vehicle gate at the entrance to Four Seasons Farmington which was denied. It was explained that the Zoning Hearing Board would hear that appeal.
2. Ken Guldin, 5141 East Texas Rd., wondered how residents would be notified if anything happens with the Limerick nuclear power plant. Mr. Frizzell, Emergency Management Coordinator, explained the notification processes through the County. Mr. Guldin presented articles on radiation and public health.

COMMUNICATIONS

1. Mimi Myslewicz, PA Emergency Management – Single Audit Report for 2009 PEMA Projects. This is for the 2 floodplain properties the Township purchased.
2. Virginia Savage, Lehigh County, Main Street Initiatives – Reminder of the county’s revaluation process. The process to reassess each property has not been done for 20 years. Over the next several months Facet vehicles will be seen driving around taking pictures of properties as well as aircrafts. The new assessments will be provided in February 2012 and will take effect in January 2013 for the municipal and county taxes and in July 2013 for the school tax. This process is to fix fair market value of each property and cut down or eliminate on assessment appeals.
3. Patryk Wasilczyk, 5488 Tanglewood Lane – Statement of Interest to Volunteer

APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, COMMISSIONS – None

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APPROVAL OF MINUTES OF PREVIOUS MEETING (S)

Item 1.3 under Other Business, change “approval” to “vote”.

Motion by Commissioner Conrad, seconded by Commissioner Pugliese, to approve the March 3, 2011 minutes as amended. There were 5 ayes. Motion carried.

APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

1. Ms. Williams reviewed the March 17, 2011 Bill List. It was discussed if items approved through the budget process and bid through the state bidding process need a 2nd approval by the Board before purchasing. Other questions on invoices were addressed.

01	General Fund	\$308,002.13	35	Liquid Fuels	\$129,150.26
08	Sewer Fund	\$53,041.67	36	Developers Escrow	\$120,992.50
04	Solid Waste Fund	\$2,050.00	37	Developers Impact	
19	Debt Service Fund		30	Capital Projects Fund	\$14,566.00
Total Funds					\$627,802.56

Motion by Commissioner Conrad, seconded by Commissioner Eichenberg, to approve the March 17, 2011 Bill List. There were 5 ayes. Motion carried.

2. Budget Analysis for February 2011 – Ms. Williams reviewed the analysis. She will provide a summary of the revenue and expenditures for 2010.

DEPARTMENTAL MATTERS

1. Engineering

- 1.1. Draft of Terms and Conditions with Norfolk Southern – This is for the proposed Sauerkraut Lane crossing and the downgrading of the crossing on Orchard Road to an emergency crossing. Mr. Erdman is working with the Solicitor’s office and Norfolk Southern on wording. FAQ’s will be placed on the website next week. A final draft will be up for approval on April 7th.
- 1.2. The Rolling Meadows recreation area deed was recorded.
- 1.3. The 50 foot section of missing sidewalk by Penn’s Meadow is schedule to be done in the next couple weeks.

2. Planning

- 2.1. Both the Greenway Committee and Planning/Zoning Committee made a recommendation for a greenway plan consultant. There were 14 proposals submitted and 6 consultants interviewed. The approval is subject to DCRN approval. The Township is looking at expanding to a full comprehensive open space recreation and park plan.

Motion by Commissioner Brown, seconded by Commissioner Eichenberg, to appoint KMS Design Group with Thomas McLane Associates to prepare the greenways and open space network plan. There were 5 ayes. Motion carried.

- 2.2. PennDOT Right-of-Way Acquisition Ordinance – This is for property along Spring Creek Road where PennDOT is reconstructing the bridge. The engineer and solicitor requests more time to review the ordinance. To be brought back later.
- 2.3. The Planning Commission’s April agenda includes: Spring Creek Properties, Firestone Tire Center, Trexler Senior Living, Lichtenwalner Farm subdivision, lot consolidations for both Becker Subaru and GOLDCO Properties, and PPL Gold Credit Union request for a shared access driveway.

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- 2.4. April 13th is the 1st zoning hearing for the appeal of Streck Et. Al.
- 2.5. There will be a joint Planning Commission/Board of Commissioners Workshop on April 19th to discuss planning policies and priorities.
- 3. **Solicitor**
 - 3.1. Solicitor Report – 1) Have been looking into the Hills at Lockridge overlay district and if it is appropriate. 2) Several code enforcement issues and placements of liens are being worked out with Mr. Galiardo. 3) Working on a tree cutting ordinance. 4) Assisted in several Right-to-Know Requests to assure the legal process is being followed. The Township ruled on one request dealing with the Streck matter. An appeal was taken to Harrisburg and the Townships position was upheld. The requester has now taken an appeal to court. 5) Are researching the sewer collection process. 6) The opinion from the March 3rd Conditional Use Hearing will be approved at the April 7th meeting.
- 4. **Township Manager**
 - 4.1. Manager Report – 1) Keystate Publishers will issue the final draft of the codification within the next 2 weeks. 2) Work on removing the lime kiln will start when the ground is more firm. 3) With the closing of the county compost site, 23 communities are discussing who will use and store the 11 pieces of equipment the county will not be using.
 - 4.2. The Township ran out of disk space on the website and removed all minutes prior to 2010. A notice will be posted that all minutes are available at the Township Building. Resident, Don Denburg, suggests keeping the minutes on and removing the agenda detail.
 - 4.3. Staff met with Mr. Somach and another attorney from his office to review the pension plan. The plan is compliant. Staff now has a better understanding of the plan and will look at the possibility of switching providers.

COMMITTEE REPORTS

- 1. **Public Safety** (Reis, Brown)
 - 1.1. Resolution Approving the Updated Emergency Operation Plan – Dale Frizzell explained it is a federal government generic plan that is modeled to our needs. Evacuation places require backup power; Ag Hall is the main one for this area. Some changes are needed to the plan and then will come back for approval.
 - 1.2. The Public Safety Commission is looking into police services and had state police report on the last 10 years of incidents in the Township and they're also collecting information from other towns. The Commission interviewed for the vacancy on the Commission. They are reviewing a sign request form and they made a recommendation to staff on restricted parking in Shepherd Hills.
 - 1.3. The next Committee meeting is April 7th at 6 PM.
- 2. **Budget & Finance** (Pugliese, Conrad)
 - 2.1. At the next meeting, April 7th at 6 PM, they will discuss the fund balance policy and review the 2010 budget worksheet. They will start 2012 budget discussions in May.
- 3. **Planning & Zoning** (Brown, Eichenberg)
 - 3.1. There were 4 agenda items at their March 10th meeting. 1) They discussed the greenway plan consultant recommendation. 2) Mr. Bill Mayo requested access through the Trexler Senior Living Facility. The Committee recommends the Planning Commission discuss. 3) They reviewed a request from the EAC to place signs at un-mowed areas; referred to staff. 4) The Committee discussed the PennDOT right-of-way acquisition previously discussed tonight.
 - 3.2. The next meeting is April 14th at 4 PM. Discussion includes an issue with PPL Gold Credit Union sharing a driveway.

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4. **Public Works & Facilities** (Eichenberg, Reis)
 - 4.1. The next meeting is March 28th at 4 PM.
5. **General Administration** (Conrad, Pugliese)
 - 5.1. The Committee met tonight with the County Board of Elections staff to discuss the proposed campaign finance transparency policy. They brought up issues we could run into and the challenges of the workload. It was discussed if we would collect the information or have the candidates provide the information.
 - 5.2. The meeting rules of order will be discussed at next meeting, April 21st at 6 PM.

OTHER BUSINESS

1. **Old Business**
 - 1.1. Issues with Corrado Homes Development (Hidden Valley Meadows) – Keystone Consulting is still in discussions with the bank. Building permits are being rejected.
2. **New Business**
 - 2.1. Beaumont at Brookside/Wildflower Estates Public Improvements – Keystone Consulting recommends rejecting all bids due to wide diversity of bid amounts.

Motion by Commissioner Pugliese, seconded by Commissioner Eichenberg, to reject all bids for the Beaumont at Brookside/Wildflower Estates public improvements. There were 5 ayes. Motion carried.

- 2.2. Road Material – Bids are in-line with prices last year.

Motion by Commissioner Eichenberg, seconded by Commissioner Brown, to award the microsurfacing contract in the amount of \$96,293.76, the ultrathin friction course contract in the amount of \$110,121.91, and the bituminous seal contract in the amount of \$76,191.27 to Asphalt Maintenance Solutions. There were 5 ayes. Motion carried.

- 2.3. Grass Cutting – This is a multiyear contract for pocket parks and detention ponds.

Motion by Commissioner Eichenberg, seconded by Commissioner Brown, to award the grass cutting contract to Estate Maintenance in the amount of \$44,925.

Mowing is paid for out of the general fund and from the interest made on developer's money given for pond maintenance.

There were 5 ayes. Motion carried.

BOARD OF COMMISSIONERS REPORTS

In order to keep everyone safe, Commissioner Conrad reminded parents who drive children to the bus stop that the PA Motor Vehicle Code prohibits cars parking within 20 feet of an intersection or crosswalk, parking within 30 feet of a stop sign or 15 feet of a fire hydrant. Cars are also prohibited from blocking a driveway or free movement of passing cars.

PUBLIC COMMENT

Ken Guldin, 5141 East Texas Rd., questioned why there is no water in the detention ponds after all the rain we've had. Mr. Erdman explained that we didn't have a storm event the ponds were designed for and that the ponds are functioning correctly.

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EXECUTIVE SESSION – None

ADJOURNMENT

**Motion by Commissioner Pugliese, seconded by Commissioner Conrad, to adjourn.
There were 5 ayes. Motion carried.**

The meeting of the Board of Commissioners adjourned at 9:24 p.m.

Bruce E. Fosselman
Township Manager

Renea Flexer
Township Secretary
March 22, 2011