

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS**

The Board of Commissioners met in regular session on October 21, 2010 in the Township Building, 3400 Brookside Road, Macungie, PA 18062.

CALL MEETING TO ORDER

President Reis called the meeting to order at 7:02 p.m.

PLEDGE TO THE FLAG

<u>ROLL CALL</u>	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
	Peter Nelson, Township Solicitor	Present
	Sara Pandl, Director of Planning	Present
	Cassandra Williams, Director of Finance	Present
	Darryl Yothers, Township Treasurer	Absent

ANNOUNCEMENTS & PRESENTATIONS

1. An executive session was held prior to the meeting to discuss the Streck, ET AL lawsuit and personnel matters.
2. The Township Building will be used by Boy Scout Troops 131 & 431 as a staging area for their food drive.
3. A proclamation was presented to Robert Horvath for his 14 years of service on the Zoning Hearing Board. Mr. Horvath was thanked by many. Mr. Horvath expressed appreciation.

HEARINGS & APPROVALS – None

PUBLIC COMMENT ON NON-AGENDA TOPICS

1. Grayson McNair, 5030 Valley Stream Lane, expressed concern with the intersection of Willow and Sauerkraut Lane. Keystone Consulting performed traffic counts at both intersections of Willow/Sauerkraut and Mill Creek Spur/Willow. The data is being analyzed and will be reported at the next meeting.
2. Dave Kiechel, 6737 Holly Road, reported a dangerous issue with cars parking along both sides of Holly Road near Lower Macungie Road for a school bus stop. Code Enforcement Officer, Ben Galiardo, reported that the cars are parked 20+ feet from the intersection; as regulated by the motor vehicle code. He will contact the state police on their findings.

COMMUNICATIONS

1. Barbara Baringer, 5775 Whitmarsh Dr. – Letter of thanks for the community garden.
2. Brian Miller, Upper Milford Township – Feels that the proposed zoning amendment of 7975 & 7991 Quarry Drive is not consistent with the comp plan.
3. Ron Carlson, 5379 Covenant Ct. – Statement of Interest

APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, COMMISSIONS

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The Planning/Zoning Committee, along with the Vice Chair of the Zoning Hearing Board, conducted interviews for positions on the ZHB. The Commissioners expressed their thanks to all applicants and commended them for their willingness to serve.

Motion by Commissioner Brown, seconded by Commissioner Eichenberg, to move William Royer from the alternate position to a voting position on the Zoning Hearing Board with a term expiring December 31, 2010.

Larry Schneider, ZHB Vice Chair, suggested a pre-appointment and extend the term past 2010. It was discussed to follow the appointment procedures.

There were 5 ayes. Motion carried.

Motion by Commissioner Brown, seconded by Commissioner Eichenberg, to appoint Brian Higgins to an alternate position on the Zoning Hearing Board with a term expiring February 28, 2013. There were 5 ayes. Motion carried.

The remaining alternate vacancy on the ZHB will be considered at a later date.

APPROVAL OF MINUTES OF PREVIOUS MEETING (S)

Under Public Safety Committee, 1.1, add “barricaded” gunman. Under Solicitor, 3.2, the tape was checked and minutes amended to approve and “enact” ordinance 2010-11.

Motion by Commissioner Reis, seconded by Commissioner Conrad to approve the October 7, 2010 minutes as amended. There were 5 ayes. Motion carried.

APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

1. Ms. Williams reviewed and answered questions on the Bill List.

01	General Fund	\$307,091.19	35	Liquid Fuels	\$114.97
08	Sewer Fund	\$446,390.16	36	Developers Escrow	\$27,758.53
04	Solid Waste Fund	\$179,599.42	37	Developers Impact	
19	Community Ctr. Fund		30	Capital Projects Fund	\$40,363.50
				Total Funds	\$1,001,317.77

Motion by Commissioner Pugliese, seconded by Commissioner Conrad to approve the October 21, 2010 Bill List. There were 5 ayes. Motion carried.

2. Ms. Williams reviewed the September 2010 Budget Analysis. Staff was urged to monitor spending. The LST tax was incorrectly budgeted for 2010 and will be corrected for 2011.

DEPARTMENTAL MATTERS

1. Engineering

- 1.1. The resident at 1215 Oak Drive withdrew the complaint regarding stormwater.
- 1.2. Intersection of East Texas and Brookside Roads – There is a possibility of a green left-turn arrow for East Texas Road heading east. A study would need to be done and submitted to PennDOT. It was also discussed that right turns should be restricted when heading north on Brookside and turning right onto East Texas. No further action taken.
- 1.3. Resolution approving an MOU for Allocation of Development Flow Credits for Conveyance – Mr. Erdman explained that the method to allocate capacity is on a 1st come, 1st serve basis and if the capacity is not used within a certain amount of

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time it goes back in the pool. There are 5 capacity pools: one for small municipalities, one for Lower Macungie, one for Upper Macungie, one sewer repair pool and one unreserved pool. All municipalities within the SCARP plan are acting on the same MOU. The Board will review and act on at the next meeting.

- 1.4. Building inspections with the SCARP plan are going well; about 1/3 of the homes visited are being inspected. Commissioner Conrad's home was inspected and he remarked that the process was simple and that the staff was professional.
2. **Planning**
 - 2.1. Along with East Penn School District, the Township will apply to PennDOT for a Safe Route to School grant for crosswalks and safety zones for Willow Lane Elementary. A traffic-round-about is also being studied.
 - 2.2. Tree planting will begin at the Penn's Meadow Pond Retrofit site on October 27th.
 - 2.3. Ms. Pandl is applying to DCNR for a \$10,000 (no match required) grant from Schuylkill Highlands for enhanced planting along the Swabia Creek.
3. **Solicitor**
 - 3.1. Resolution regarding the Building Code Board of Appeals – The original resolution, adopted in the 1970's, needs to be updated to conform to the Uniform Construction Code. The resolution will be reviewed and discussed November 4th.
4. **Township Manager**
 - 4.1. Mr. Fosselman attended the International City Manager Association meeting. Discussions included the national and global economy and social networking.
 - 4.2. It was found during demolition of the lime kiln that it may not be worth saving.

COMMITTEE REPORTS

1. **Public Safety** (Reis, Brown)
 - 3.1. The Public Safety Commission discussed the issue with tractor trailer parking in Shepherd Hills and is reviewing a proposed ordinance. The Commission is also looking into police services; state police, regional police, own police force or contract police. The Commission is requesting public input.
 - 3.2. Ben Galiardo, Code Enforcement, reported that a one-time warning was given to a duck hunter in Wild Cherry Park pursuant to the new hunting policy.
 - 3.3. The next meeting is November 4th at 6 PM.
2. **Budget & Finance** (Pugliese, Conrad)
 - 2.1. There will be a 2011 budget meeting October 28, 2010 at 7 PM. Everyone is working toward a balanced budget without touching the fund balance.
 - 2.2. The next meeting is November 4th at 6 PM.
3. **Planning & Zoning** (Brown, Eichenberg)
 - 3.1. The last meeting consisted of interviewing for the Zoning Hearing Board.
 - 3.2. The next meeting is November 11th at 4 PM.
4. **Public Works & Facilities** (Eichenberg, Reis)
 - 4.1. The next meeting is October 25th at 4 PM.
5. **General Administration** (Conrad, Pugliese)
 - 5.1. Last month's meeting was cancelled. The Committee met at 6 PM this evening and discussed the Library Board's desire to expand the library into the community center; both entities agreed to work together.
 - 5.2. A draft of the Community Center Usage Policy was presented to the Committee and will be further discussed on November 18th.
 - 5.3. There was a brief discussion on disposition of municipal records. Referred to the Solicitor to draft a resolution or ordinance for the November 4th BOC meeting.
 - 5.4. The next meeting is November 18th at 6 PM.

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OTHER BUSINESS

1. Old Business

- 1.1. Perkiomen Creek Act 167 Plan (Engineer Reviewing Draft Ordinance)
- 1.2. Mill Creek Spur and Willow Lane Intersection (Staff Reviewing)
- 1.3. Building Code Board of Appeals – 2 Vacant Positions
- 1.4. Park at Spring Creek/Mill Creek – Traffic Pattern (Being Reviewed)

2. New Business

- 2.1. Bid recommendation for road signs and associated hardware – By 2012 all signs must have a certain level of reflectivity. A study and inventory was done by staff on all signs in LMT. Signs would be replaced on an as-needed basis. This bid is part of the Lehigh Valley Co-op and establishes a price list for each item; 16 members participated in the bid.

Motion by Commissioner Brown, seconded by Commissioner Eichenberg, to award the new sign material bid to Ibis Tek Apparel LLC, Butler, PA. There were 5 ayes. Motion carried.

Motion by Commissioner Brown, seconded by Commissioner Eichenberg, to award the new sign material bid to Reliable Sign Company, Bethlehem, PA, for signs not available through Ibis Tek Apparel. There were 5 ayes. Motion carried.

Motion by Commissioner Brown, seconded by Commissioner Eichenberg, to award the sign re-facing bid to E.J. Breneman, West Lawn, PA. There were 5 ayes. Motion carried.

Motion by Commissioner Eichenberg, seconded by Commissioner Brown, to award the facing material bid to Ibis Tek Apparel LLC, Butler, PA. There were 5 ayes. Motion carried.

- 2.2. Bid Recommendation for road salt – This would be supplementary to the state contract. The Township must use 60% of its salt from PennDOT first and then use this bid as a second source; approximately 1600 ton is used per year.

Motion by Commissioner Brown, seconded by Commissioner Pugliese, to approve the purchase of sodium chloride de-icing rock salt on an as-needed basis from Oceanport LLC, Claymont, DE.

The cost is higher when purchased through PennDOT, but the Township is contracted through 2011 to buy 60% of the salt from them.

There were 5 ayes. Motion carried.

BOARD OF COMMISSIONERS REPORTS

1. Almost 200 phones were donated to the Cell Phones for Soldiers program.

PUBLIC COMMENT

1. Ann Friedenheim, 3991 Chestnut Road, is disturbed with the agricultural zoning change and the proposed Jaindl commercial development and requests that the board reverse the

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decision. A brief history was given on the series of events with the quarry settlement. Ms. Pandl will contact Ms. Friedenheim to explain further. Ms. Friedenheim also requested that the proposed development be placed on hold until the Streck ET AL appeal is resolved.

2. Robert Csandl, 3991 Chestnut Road, urged the board to find ways to protect vital resources.
3. Grayson McNair, 5030 Valley Stream Lane, regarding the new hunting policy, offered to help post restricted hunting areas. Mr. Nelson will look into what the Township is obligated to do.

EXECUTIVE SESSION – None

ADJOURNMENT

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

The meeting of the Board of Commissioners adjourned at 9:50 p.m.

Bruce E. Fosselman
Township Manager

Renea Flexer
Township Secretary
October 28, 2010