

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

The Board of Commissioners met on May 6, 2021 for a regular meeting. The meeting was held both via Zoom.com, an online audio/video meeting due to the Coronavirus pandemic, and at the Township Building, 3400 Brookside Road, Macungie, PA 18062.

1. CALL MEETING TO ORDER

President Beitler called the regular meeting to order at 7:00 p.m.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Ronald W. Beitler, President	Present
Richard V. Ward, Vice President	Present
Ron R. Beitler, Commissioner	Present via Zoom
Brian P. Higgins, Commissioner	Present
Maury G. Robert, Commissioner	Present via Zoom
Bruce Beitel, Township Manager	Present
Renea Flexer, Asst. Township Manager/Secretary	Present
Nathan Jones, Director of Planning	Present via Zoom
David Brooman, Township Solicitor	Present via Zoom
Kathleen Thomas, Township Solicitor	Present
Bryan McAdam, Township Engineer	Present

4. AGENDA MODIFICATIONS (At Discretion of Board President) – None

5. ANNOUNCEMENTS & PRESENTATIONS – None

6. HEARINGS & APPROVALS

6.1. Resolution 2021-15 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER MACUNGIE TOWNSHIP, LEHIGH COUNTY PROVIDING FOR THE DISPOSITION OF DOCUMENTS ACCORDING TO THE RETENTION AND DISPOSITION SCHEDULE FOR RECORDS OF PENNSYLVANIA MUNICIPALITIES PROMULGATED BY THE LOCAL GOVERNMENT RECORDS COMMITTEE UNDER THE AUTHORITY OF THE MUNICIPAL RECORDS ACT

The amendment adds language to follow the state’s manual as amended from time to time.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve Resolution 2021-15. There were 5 ayes. Motion carried.

6.2. Resolution 2021-16 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER MACUNGIE TOWNSHIP, LEHIGH COUNTY PROVIDING FOR THE DISPOSITION OF SPECIFIC DOCUMENTS AND RECORDS ACCORDING TO THE MUNICIPAL RECORDS MANUAL

This lists the records to be destroyed at the shredding event.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve Resolution 2021-16. There were 5 ayes. Motion carried.

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

- 6.3. Resolution 2021-17 – RESOLUTION AUTHORIZING THE CONDEMNATION AND ACQUISITION OF CERTAIN LAND WITHIN THE TOWNSHIP OF LOWER MACUNGIE, LEHIGH COUNTY FOR THE PURPOSE OF CONSTRUCTION OF A PUBLIC STREET AND ASSOCIATED GRADING

This is to acquire certain portions of the Muse parcel for the extension of Sauerkraut Lane.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve Resolution 2021-17. There were 5 ayes. Motion carried.

- 6.4. Consideration of DEP Resolution Approving the Sewer Planning Module for the Huff Property at 6245 Mountain Road – This was an emergency connection to public sewer due to a failed septic system.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve the DEP Resolution approving the Sewer Planning Module for the Huff property at 6245 Mountain Road. There were 5 ayes. Motion carried.

- 6.5. Consideration of DEP Resolution Approving the Sewer Planning Module for the Green Acres Outdoor Living Project – This is for a connection off Schantz Road for the approved land development project.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve the DEP Resolution approving the Sewer Planning Module for the Green Acres Outdoor Living Project. There were 5 ayes. Motion carried.

- 6.6. Consideration of Park Memorial Applications (All for Trees and Plaques) – Each have been reviewed as per our policy and approved by the Public Works and the Park and Recreation Board. The BOC thanked the families and staff.

6.6.1. In Memory of Halah Elise McIntyre at Prater Park

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve the Park Memorial Application for Halah Elise McIntyre. There were 5 ayes. Motion carried.

6.6.2. In Memory of Doris M. Giles at Municipal Campus

Motion by Commissioner Ward, seconded by Commissioner Higgins, to approve the Park Memorial Application for Doris M. Giles. There were 5 ayes. Motion carried.

6.6.3. In Memory of Alex Zarnas at Wild Cherry Park

Motion by Commissioner Ward, seconded by Commissioner Higgins, to approve the Park Memorial Application for Alex Zarnas. There were 5 ayes. Motion carried.

7. PUBLIC COMMENT ON NON-AGENDA TOPICS – None

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

8. COMMUNICATIONS

- 8.1. Jim Schwartz, AARP – Letter of thanks for the space we offer for the AARP Tax Program.
- 8.2. Rebecca Innes, 7463 Woodstone Circle – Statement of Interest for the Environmental Advisory Council.
- 8.3. Donna Schellenberger, 737 N. Brookside Road – Statement of Interest for multiple boards.
- 8.4. Marianne Kitzmiller, Audit Advisory Committee – Notice of resignation.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to regretfully accept the resignation of Marianne Kitzmiller from the Audit Advisory Committee. There were 5 ayes. Motion carried.

- 8.5. Saul Topolsky, 4315 Clear Way – Concern with the decision for the Macungie Manor project.

9. APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS – None

10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve the April 15, 2021 minutes as drafted. There were 5 ayes. Motion carried.

11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

- 11.1. Mr. Beitel reviewed the May 6, 2021 Bill List.

General Fund	\$613,226.65	37	Developers Impact	
Sewer Fund	\$14,268.35	01	Payroll	\$145,899.31
Capital Projects Fund	\$3,209.00	36	Developers Escrow	\$66,889.05
Liquid Fuels			Total Funds	\$843,492.36

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve the May 6, 2021 Bill List as drafted. There were 5 ayes. Motion carried.

- 11.2. Resolution 2021-18 – A RESOLUTION AMENDING THE 2020 YEAR END BUDGET BY TRANSFERRING FUNDS AMONGST CERTAIN APPROPRIATION ITEMS FOR PURPOSES OF BALANCING THE 2020 YEAR END BUDGET

The resolution reallocates various funds to finalize the 2020 Budget. There was a typo to what was reported at the last Workshop; instead of the allocation noted in Planning, it should have been for Permits as reflected in this Resolution.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve Resolution 2021-18. There were 5 ayes. Motion carried.

12. DEPARTMENTAL MATTERS

12.1. Engineering

- 12.1.1. Consider Bid Award for Ultra-Thin Project – The bid opening was April 22nd and there was one bid received. It is recommended to approve.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to award the 2021 Ultra-Thin Roadway Project to Asphalt Maintenance

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

Solutions, LLC in the amount of \$243,858.70. There were 5 ayes. Motion carried.

12.1.2. Consider Bid Award for Micro Surfacing Project – The bid opening was April 22nd and there was one bid received. It is recommended to approve.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to award the 2021 Microsurfacing Project to Asphalt Maintenance Solutions, LLC in the amount of \$309,067.92. There were 5 ayes. Motion carried.

12.1.3. Engineer’s Report: 1) There are various Township projects underway. 2) CKS is reviewing and coordinating several land development submission projects.

12.2. Planning

12.2.1. Resolution 2021-19 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE STONE HILL MEADOWS PHASE 2 FINAL SUBDIVISION AND LAND DEVELOPMENT

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve Resolution 2021-19. There were 5 ayes. Motion carried.

12.2.2. Resolution 2021-20 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE BEIT SIMCHA MESSIANIC FELLOWSHIP LAND DEVELOPMENT

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve Resolution 2021-20. There were 5 ayes. Motion carried.

12.2.3. Resolution 2021-21 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE JAINDL COMMERCIAL PARK NORTH LAND DEVELOPMENT

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve Resolution 2021-21. There were 5 ayes. Motion carried.

12.2.4. Resolution 2021-22 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE 3P HOLDINGS, L.L.C. LAND DEVELOPMENT

This is for the 7368 & 7386 Alburtis Road (3P Holdings) project.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve Resolution 2021-22. There were 5 ayes. Motion carried.

12.2.5. Planner’s Report: 1) Significant tree trimming will be seen by residents. PPL will be trimming in their right of way to prepare for storms and ensure power delivery. 2) Macungie Borough has a Zoning Hearing Board application from Brookside Country Club for 66 homes, which was originally proposed for 144 homes. The residents would exit onto Willow Lane in LMT. The Board authorized sending a letter to the Borough to express our concern for traffic and stormwater.

12.3. Solicitor

12.3.1. Solicitor’s Report – No Report

12.4. Township Manager

12.4.1. Resolution 2021-23 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA,

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

AMENDING THE SCHEDULE OF FEES AND CHARGES FOR PERMITS AND SERVICES.

The proposed fee amendments are for the pool, for abandoned property registration and for plan recording. The pool fees have changed since what was discussed at the Workshop and what is included in the agenda due to the governor's changed COVID-19 order. This will now allow us to sell season passes and our proposed fees includes a discount for online registration. These fees are comparable with neighboring pools. Swim lap fees are separate from the season passes due to having additional lifeguard time. The Board thanked staff for their quick reaction to the additional opportunities with the lifted COVID-19 restrictions.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve Resolution 2021-23, as amended. There were 5 ayes. Motion carried.

12.4.2. Manager's Report: 1) The sewer cleanout project will start next week on Catalpa and Woodbine. Homeowners will be notified via door knockers and a letter that will be sent tomorrow. 2) As discussed at the workshop, the Township is looking to refinance the \$6.5 million outstanding bank note from 2017. PFM Financial Advisors put out a request for proposals, which were due yesterday, May 5th. There were 13 submittals with interest rates ranging from 1.36% to 2.55%. Key Bank had the lowest rate of 1.36% fix rate (with a 1% penalty if prepaid) for a saving of \$284,898, but must close within 30 days. TD Bank had the second lowest rate of 1.41% for a savings of \$269,487. Key Bank also gave a 60-day close offer with an interest rate that was higher than TD Bank. The difference in the net savings is a little over \$15,000, if we close in 30 days. To refinance, we're required to have a debt legal counsel. An RFP went to four firms and three of them responded with Eckert Seamans being the lowest at \$9,500 + expenses of no more than \$1,500; the highest was Dilworth Paxson at \$15,000 + expenses. Mr. Beitel explained that we could take a slower approach to close in 60 days and approve an ordinance to refinance on June 3rd. Or to take advantage of the 1.36% rate and close in 30 days, the Board could authorize him tonight to engage the debt legal counsel to draft and advertise an ordinance to adopt on May 20th and close by June 18th. A submission to DCED is also required before closing. The Board was interested in the quicker timeframe to save \$15,000. Solicitor Brooman vetted Eckert Seamans and feels comfortable with them. There was no public comment on adding this to tonight's agenda.

Motion by Commissioner Higgins, seconded by Commissioner Robert, to authorize the Township Manager to further engage in the process with Eckert Seamans and PFM Financial and allow them to draft and advertise an ordinance to refinance with Key Bank. There were 5 ayes. Motion carried.

13. COMMITTEE REPORTS – No Committees have met individually since the last meeting. A workshop will be held on the 4th Monday of each month at 7 p.m., as needed.

13.1. **Planning & Zoning** (Ward, Robert)

13.1.1. Workshop 4th Monday of the Month at 7 p.m.

13.2. **Budget & Finance** (R.W. Beitler, R.R. Beitler)

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

- 13.2.1. Workshop 4th Monday of the Month at 7 p.m.
- 13.3. **Public Works: Parks & Facilities** (Higgins, Ward)
 - 13.3.1. Workshop 4th Monday of the Month at 7 p.m.
- 13.4. **General Administration** (Robert, R.W. Beitler)
 - 13.4.1. Workshop 4th Monday of the Month at 7 p.m.
- 13.5. **Public Works: Roads & Sewers** (R. R. Beitler, Higgins)
 - 13.5.1. Workshop 4th Monday of the Month at 7 p.m.

14. OTHER BUSINESS

- 14.1. **Old Business**
 - 14.1.1. Crossing Guard Agreement with EPSD (Notified of No Cost Sharing)
 - 14.1.2. Comprehensive SALDO Amendment (Being Drafted)
 - 14.1.3. Grease Trap Ordinance (Being Drafted)
 - 14.1.4. Revision of Language for Recreation Fee in Lieu of Dedication (Being Finalized)
 - 14.1.5. Bids for Ultra-Thin and Micro Surfacing Projects and (Bid Opening April 22nd)
 - 14.1.6. Library Board Vacancy (Possibly Appoint in May)
 - 14.1.7. Planning Commission Vacancy (Interviews May 24th)
- 14.2. **New Business** – See Manager Report

15. BOARD OF COMMISSIONERS REPORT – None

16. PUBLIC COMMENT – None

17. EXECUTIVE SESSION – None

18. ADJOURNMENT

President Beitler adjourned the meeting at 7:43 p.m.

Bruce Beitel
Township Manager

Renea Flexer
Asst. Township Manager/Secretary
May 13, 2021