

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

The Board of Commissioners met on May 20, 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 7:01 p.m.

2. PLEDGE TO THE FLAG

3. <u>ROLL CALL</u>	Ronald W. Beitler, President	Present
	Richard V. Ward, Vice President	Present
	Ron R. Beitler, Commissioner	Present
	Brian P. Higgins, Commissioner	Present via Zoom until 8:01 p.m.
	Maury G. Robert, Commissioner	Present via Zoom
	Bruce Beitel, Township Manager	Present
	Renea Flexer, Asst. Manager/Secretary	Present
	Nathan Jones, Director of Planning	Present via Zoom
	David Brooman, Township Solicitor	Present
	Bryan McAdam, Township Engineer	Present via Zoom

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

5. ANNOUNCEMENTS & PRESENTATIONS

5.1. Weis Markets had a ribbon cutting yesterday for their new store on Rt. 100 and they made a generous donation of \$1500 to the Lower Macungie Fire Department. The Board thanked Weis for their generosity.

5.2. Longtime volunteer, Larry Schneider passed away. He was an advocate of the change from a Second Class Township to a First Class Township and served on the Zoning Hearing Board.

6. HEARINGS & APPROVALS

6.1. Conditional Use Hearing for the East Texas Barn Adaptive Reuse Project – President R.W. Beitler and Commissioner R.R. Beitler both recused themselves from this matter due to being the applicants. Solicitor Brooman explained the conditional use procedure. The hearing was transcribed by a stenographer. The applicant proposes to use the first floor of the barn as a brewery, distillery and shared tap room and the second floor will be two two-bedroom apartments.

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve the 1955 Willow Lane East Texas Barn, LLC Conditional Use Application with the following conditions:

1. **The Applicant shall comply strictly with the testimony and all exhibits.**
2. **The Applicant shall comply with the most recent comment review letters of the Township Planning Department, Township Zoning Officer, Township Engineer and Landscape Architect.**
3. **The Applicant shall limit the hours of operation to no later than 10 PM on all days of business.**
4. **The Applicant shall submit a final planting plan to be reviewed and approved by the Township Planning Department and Township Engineer.**

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5. The Applicant shall enter into any required agreements and covenants with the Township as determined by the Township Solicitor for the trail easement on the submitted plan.
 6. The Applicant shall submit a formal parking plan to the Township Planning and Permits Department for any and all special events outside regular business operations whereby overflow parking, shuttling, traffic control and any other matters shall be reviewed and approved by the Township prior to commencement of the special event.
 7. The Applicant shall submit a plan demonstrating an area for reserved parking for future used or expansion on the lot to be reviewed and approved by the Township. This reserve parking shall be installed as necessary at the direction of the Township.
 8. The Applicant shall only install an accessory shed placed on a compacted stone base. No shed utilizing footings or foundation shall be permitted.
 9. A path between employee parking and the mixed-use structure which is maintained and shoveled shall be installed at the site.
 10. A full Township Ordinance and Design Guidelines compliant buffer screen shall be installed at all properties, as required by ordinance, upon the sale of any of the existing abutting residences.
 11. If any of the abutting property owners that do not want a landscape buffer sell their property, the applicant will contact the new property owner to see if they want a landscape buffer and install, if needed.
 12. Food trucks would be located north of the proposed deck and not along Willow Lane.
 13. A plan will be submitted for the 5-foot walking area from the lower parking area to the brewery and is subject to review and approval by the Township's Engineer and Director of Planning.
 14. The facility shall have all required licensing through the state to operate a brewery and distillery.
- There were 3 ayes. Motion carried.**

The hearing was adjourned and the meeting recessed at 8:01 p.m.

The meeting reconvened at 8:05 p.m.

- 6.2. Ordinance 2021-02 – AUTHORIZING AND SECURING THE ISSUANCE OF A GENERAL OBLIGATION NOTE, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$6,515,000, PURSUANT TO THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, TO REFUND THIS TOWNSHIP'S GENERAL OBLIGATION NOTE, SERIES OF 2017 AND PAY ISSUANCE COSTS; ACCEPTING A NOTE PURCHASE PROPOSAL; SETTING FORTH THE SUBSTANTIAL FORM OF THE NOTE; PLEDGING THE FULL FAITH, CREDIT, AND TAXING POWER OF THIS TOWNSHIP TO SECURE SUCH NOTE; CREATING A SINKING FUND AND APPOINTING A SINKING FUND DEPOSITORY; AND AUTHORIZING RELATED ACTION

The Ordinance authorizes the refinancing of the 2017 note, which is currently at 2.48% interest. There were 13 responses to the RFP and the best was from Key Bank at 1.36% interest. Fees came in lower than expected for a total savings of \$299,000. Closing is expected on June 18th.

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Motion by Commissioner Ward, seconded by Commissioner Robert, to approve Ordinance 2021-02. Roll Call Vote: R.R. Beitler, aye; Robert, aye; Ward, aye; R.W. Beitler, aye. Motion carried.

7. PUBLIC COMMENT ON NON-AGENDA TOPICS – None

8. COMMUNICATIONS

8.1. Al Perez, Planning Commission – Letter of resignation. The Board expressed their appreciation for his exceptional work and preparation on the Planning Commission.

Motion by Commissioner Robert, seconded by Commissioner Ward, to regretfully accept the resignation of Al Perez from the Planning Commission. There were 4 ayes. Motion carried.

8.2. Rudy Fischl, 6151 Sequoia Drive – Statement of Interest for the Planning Commission.

8.3. Edward Keefe, 3503 Sherman Drive – Statement of Interest for the Planning Commission (Received after deadline).

8.4. Chris Cassidey, Community Action Committee of the Lehigh Valley (CACLV) – Letter of thanks for grant.

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

10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

Motion by Commissioner Ward, seconded by Commissioner Robert, to approve the May 6, 2021 minutes as drafted. There were 4 ayes. Motion carried.

11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

11.1. Mr. Beitel reviewed the May 20, 2021 Bill List.

01	General Fund	\$300,223.26	37	Developers Impact	
08	Sewer Fund	\$49,445.82	01	Payroll	\$149,230.74
30	Capital Projects Fund	\$2,753.86	36	Developers Escrow	\$3,775.62
35	Liquid Fuels			Total Funds	\$505,429.30

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the May 20, 2021 Bill List as drafted. There were 4 ayes. Motion carried.

12. DEPARTMENTAL MATTERS

12.1. **Engineering**

12.1.1. Engineer’s Project Status Report: In addition to the Status Report: 1) The sewer lateral cleanout contract is beginning. 2) A preconstruction meeting will be held soon for the slip lining project. 3) Preconstruction meetings and notice to proceed should be soon for the crack seal and fog seal projects. 4) They are awaiting documentation from the contractor on the micro surfacing and nova chip projects. 5) No bids were received for the line striping project and after discussion with staff, it was decided to go out to bid again. The new bid opening is June 14th.

12.2. **Planning**

12.2.1. Planner’s Report: 1) An application was received for a special exception for the property located at Alburdis Road, Schoeneck Road and Industrial Park Way for a truck/trailer parking and a refurbishment/repair facility. It will be before the Zoning Hearing Board this month and Mr. Jones asked if the Board had any concerns. If

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approved by the ZHB, the applicant would move forward with a land development application. Some of the Board felt the decision should be left up to the ZHB and others felt it shouldn't be in the ORLIC District. The use is allowed in the Industrial District which is located across the street. After discussion, the following motion was made

Motion by Commissioner Robert, seconded by Commissioner Ward, to not send representation to the Zoning Hearing Board in regards to the special exception request this month. There were 2 ayes, 2 nays. Motion denied.

This matter can be further discussed at the Board's May 24th Workshop.

12.3. Solicitor

12.3.1. Solicitor's Report: 1) The written decision for tonight's hearing will be at the next meeting.

12.4. Township Manager

12.4.1. Resolution 2021-24 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AMENDING THE SCHEDULE OF FEES AND CHARGES FOR PERMITS AND SERVICES.

The Resolution amends the Fee Schedule. With the ever changing pool situation, we forgot the different rates for ages and the increased swim lessons.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2021-24. There were 4 ayes. Motion carried.

12.4.2. Manager's Report: 1) The pool is currently being filled. Pool passes are being sold online and at the Community Center. 2) The Board has a Workshop on Monday with a lengthy agenda.

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)

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. Chapter 21 Streets and Sidewalks Amendment (May Workshop)

14.1.3. Chapter 15 Motor Vehicles Amendment (June Workshop)

14.1.4. Chapter 18 Sewers Amendment (July Workshop)

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- 14.1.5. Chapter 23 Stormwater Amendment (August Workshop)
- 14.1.6. Chapter 27 Zoning Amendment (August Workshop)
- 14.1.7. Chapter 7 Fire Prevention Amendment (October Workshop)
- 14.1.8. Chapter 10 Health and Safety Amendment (October Workshop)
- 14.1.9. Chapter 1 Admin and Government Amendment (October Workshop)
- 14.1.10. Chapter 22 SALDO Amendment (March 2022 Workshop)
- 14.1.11. Library Board Vacancy (Appoint June 3rd)
- 14.1.12. Planning Commission Vacancy (Interviews May 24th)
- 14.1.13. 2021 Roadway Line Striping (Review Bids May 24th)
- 14.2. **New Business** – None

15. BOARD OF COMMISSIONERS REPORT – None

16. PUBLIC COMMENT – None

17. EXECUTIVE SESSION – None

18. ADJOURNMENT

President Beitler adjourned the meeting at 8:34 p.m.

Bruce Beitel
Township Manager

Renea Flexer
Asst. Township Manager/Secretary
May 27, 2021