

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

The Board of Commissioners met on July 15, 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. <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
	Maury G. Robert, Commissioner	Present
	Bruce Beitel, Township Manager	Present via Zoom
	Renea Flexer, Asst. Manager/Secretary	Present
	Nathan Jones, Director of Planning	Present
	David Brooman, Township Solicitor	Present
	Bryan McAdam, Township Engineer	Present

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

5. ANNOUNCEMENTS & PRESENTATIONS

5.1. Meetings are being conducted both in person and via Zoom.

6. HEARINGS & APPROVALS

The regular meeting adjourned at 7:02 p.m. to conduct the following hearings.

- 6.1. Conditional Use Hearing for Guardian Storage (DE-21-004) – Solicitor Brooman explained the conditional use procedure. The hearing was transcribed by a stenographer. The applicant proposes a self-storage building at the properties located at 4440, 4454, 4468, and 4478 Cedarbrook Road, located in the HC Highway Commercial District. Township Exhibits T1-T15 and the Applicant's Exhibits A1-A4 were submitted. There was no public comment. Parties to the hearing are: Christopher Ellis for 4412, 4426 and 4432 Cedarbrook Road and John Zuber for 4337 Hamilton Blvd.

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve the Conditional Use Application of Guardian Storage Lower Macungie, LLC with the ten conditions outlined in the letter from the Planning Commission, which is Exhibit T-5. Roll Call Vote: Robert, aye; Higgins, aye; R.R. Beitler, aye; Ward, aye; R.W. Beitler, aye. Motion carried.

The regular meeting remained adjourned and there was a brief recess of the hearings from 7:43 p.m. to 7:45 p.m.

- 6.2. Conditional Use Hearing for Advanced Health Care (DE-21-007) – Solicitor Brooman explained the conditional use procedure. The hearing was transcribed by a stenographer. The applicant proposes a Life Care Facility at the property located at 1345 Minesite Road, located in the S-Suburban Residential District. Township Exhibits T1-T7 and the Applicant's Exhibits A1-A9 were submitted. Parties to the hearing are:

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Francis Pope of 4469 Lisa Lane and Don Cortney of 1308 Minesite Road. A concern was raised if short term skilled care facility was appropriate for a residential area. The Zoning Officer's opinion is that the use is consistent with a life care center, which is an allowed conditional use.

The Board of Commissioners adjourned for an executive session at 8:29 p.m. to deliberate and returned at 8:39 p.m.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve the conditional use application of Boyer Allentown SNF, L.C., on behalf of Advanced Health Care, with the 13 conditions noted in the Planning Commission Recommendation, which is Exhibit T-7.

The applicant's attorney expressed concern with Condition #6 for improvements along the walkways and it was decided that this will be discussed during the land development process. The applicant offered, and LMT accepted, to put a covenant on the property that it cannot become a group home with sober living.

Commissioners Higgins and Ward amended their motions to add a 14th condition to put a covenant on the property that it cannot become a group home or sober living property. Roll Call Vote: Robert, nay; Higgins, aye; R.R. Beitler, aye; Ward, aye; R.W. Beitler, aye. Motion carried.

The hearings concluded at 8:48 p.m. and the regular meeting of the Board of Commissioners reconvened at 8:52 p.m.

6.3. Resolution 2021-31 – RESOLUTION GRANTING MODIFICATION OF PREVIOUSLY APPROVED PLAN TO PROLOGIS OF PROPERTY HAVING AN ADDRESS OF 8783 & 8615 CONGDON HILL ROAD

The resolution approves a modification to the Spring Creek Properties Lots 7 & 8 project (LMT 18-051) for parking and lane modifications with no impact to stormwater or grading. The plan went through the administration review process.

Motion by Commissioner Robert, seconded by Ward, to approve Resolution 2021-31. There were 5 ayes. Motion carried.

6.4. Ordinance 2021-04 – AN ORDINANCE OF LOWER MACUNGIE TOWNSHIP APPROVING THE PLACEMENT OF A REFERENDUM ON THE BALLOT FOR THE NOVEMBER MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 SETTING THE QUESTION BEFORE THE ELECTORATE OF LOWER MACUNGIE TOWNSHIP REGARDING THE ADOPTION OF EARNED INCOME TAX TO BE USED SPECIFICALLY FOR THE PURCHASE, MAINTENANCE, IMPROVEMENT AND RETIRING DEBT FOR TOWNSHIP OPEN SPACE

The ordinance approves a referendum for the November ballot asking voters to support open space efforts with .15% Earned Income Tax. Mr. Beitel and Legal were thanked for their efforts on their work on this matter.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to

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approve Ordinance 2021-04. Roll Call Vote: Robert, aye; Ward, aye; R.R. Beitler, aye; R.W. Beitler, aye; Higgins, aye. Motion carried.

- 6.5. Resolution 2021-32 – 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

It was found when filing the condemnation that .020 acres less is needed for the Sauerkraut Lane Extension. Instead of .352 acres being taken, it will be .332 acres.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve Resolution 2021-32. There were 5 ayes. Motion carried.

- 7. PUBLIC COMMENT ON NON-AGENDA TOPICS – None

- 8. COMMUNICATIONS

- 8.1. Ellen Iobst, 2455 Riverbend Road – Statement of Interest for the Environmental Advisory Council.
- 8.2. Charles Pattrell, 1239 Country Club Road – Statement of Interest for the Planning Commission.

- 9. APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS

- 9.1. Appoint One Individual to the Environmental Advisory Council to Fill the Vacancy with a Term to Expire January 1, 2022

Motion by Commissioner Robert, seconded by Commissioner Higgins, to appoint Becky Short to the Environmental Advisory Council to Fill the Vacancy with a Term to Expire January 1, 2022. There were 5 ayes. Motion carried.

- 10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve the June 17, 2021 minutes as drafted. There were 4 ayes, 1 abstained (Ward was not present on June 17th). Motion carried.

- 11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

- 11.1. Mr. Beitel reviewed the July 15, 2021 Bill List.

01	General Fund	\$1,038,583.50	37	Developers Impact	
08	Sewer Fund	\$25,520.17	01	Payroll	\$317,040.33
30	Capital Projects Fund	\$200,904.87	36	Developers Escrow	\$56,075.11
35	Liquid Fuels	\$60,307.50		Total Funds	\$1,698,431.48

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

- 12. DEPARTMENTAL MATTERS

- 12.1. **Engineering**

- 12.1.1. Engineer’s Project Status Report
- 12.1.2. Engineer’s Report: 1) There were previous funding concerns with the 2021 Sewer Lining Project, but after review of the lateral project and slip line project, the contractor was given approval to do the entire slip line project. 2) There is

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much progress on several plans and specifications for various drainage projects throughout LMT.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve the additional funding needed to complete the entire 2021 Sewer Lining Project. There were 5 ayes. Motion carried.

12.2. Planning

- 12.2.1. Resolution 2021-33 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE STONE HILL MEADOWS PHASE 2 FINAL SUBDIVISION AND LAND DEVELOPMENT

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve Resolution 2021-33. There were 5 ayes. Motion carried

- 12.2.2. Planner's Report: 1) There will be two planning projects on the July 26th workshop agenda.

12.3. Solicitor

- 12.3.1. Solicitor's Report – None

12.4. Township Manager

- 12.4.1. Manager's Report: 1) The Sauerkraut Lane Extension project will start on July 28th. 2) Staff continues to meet with the contractor for the library reconstruction and we anticipate the project to start soon.

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 (June Workshop)
14.1.3. Chapter 18 Sewers Amendment (To Be Drafted)
14.1.4. Chapter 23 Stormwater Amendment (To Be Drafted)
14.1.5. Chapter 27 Zoning Amendment, Lookback (To Be Drafted)
14.1.6. Planning Commission Vacancy (Interviews July 26th) – There were five applicants and four will be interviewed; one previously interviewed will also be considered.

14.2. New Business – None

15. BOARD OF COMMISSIONERS REPORT – None

16. PUBLIC COMMENT – None

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17. EXECUTIVE SESSION

- 17.1. An Executive Session was held at 8:29 p.m. to deliberate on the Advanced Healthcare Conditional Use application.

18. ADJOURNMENT

President Beitler adjourned the meeting at 9:15 p.m.

Bruce Beitel
Township Manager

Renea Flexer
Asst. Township Manager/Secretary
July 29, 2021