

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

The Board of Commissioners met on August 5, 2021 for a regular meeting. The meeting was held both via Zoom.com, an online audio/video meeting, 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 7:02 p.m.

2. PLEDGE TO THE FLAG

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

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

5. ANNOUNCEMENTS & PRESENTATIONS

5.1. An Executive Session was held immediately following the Workshop on July 26, 2021 to discuss personnel.

5.2. Audit Report for 2020 – Dale Umbenhauer from Maillie reviewed the 2020 Financial Statement and stated that the management staff does a good job and that control deficiencies noted last year were corrected immediately.

6. HEARINGS & APPROVALS

6.1. Resolution 2021-34 – RESOLUTION GRANTING PRELIMINARY/FINAL APPROVAL TO PROLOGIS LP OF A LAND DEVELOPMENT ON A 32.96 +/- ACRE PROPERTY WITH FRONTAGE ON SPRING CREEK ROAD (SR 3001) AND THE PROPOSED SAUERKRAUT LANE EXTENSION CONSISTING OF A 337,000 SF DISTRIBUTION CENTER/WAREHOUSE, COMMONLY KNOWN AS “SPRING CREEK SETTLEMENT SUBDIVISION LOT 12” (LMT 19-048)

This is the second to last developable lot for the Spring Creek Properties settlement subdivision. A 337,000 SF structure is proposed with the use still undetermined. Development of this lot initiates the driveway to our property in the rear. The proposed resolution will be modified to note that there are seven private hydrants on site. All issues in the engineer’s letter will be addressed.

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve Resolution 2021-34 as amended. There were 5 ayes. Motion carried.

7. PUBLIC COMMENT ON NON-AGENDA TOPICS – None

8. COMMUNICATIONS

8.1. Curtis Miller, 2230 Aster Road – Expressing support for a township police force.

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8.2. Ira Lehrich, Indian Creek Storage, 5030 Indian Creek Road – Supporting a tax for farmland preservation.

9. APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS

9.1. Appoint One Individual to the Planning Commission to Fill the Vacancy with a Term to Expire January 1, 2025 – A motion was made by Commissioner Robert to appoint Nihal Raval, but was then retracted to give Tom Beil, Planning Commission Chair, time to review the recorded interviews to make a recommendation.

10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve the July 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 August 5, 2021 Bill List.

01	General Fund	\$793,686.11	37	Developers Impact	
08	Sewer Fund	\$482,700.74	01	Payroll	\$304,462.45
30	Capital Projects Fund	\$11,204.87	36	Developers Escrow	\$55,672.59
35	Liquid Fuels			Total Funds	\$1,647,726.76

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

12. DEPARTMENTAL MATTERS

12.1. **Engineering**

12.1.1. Engineer's Report: 1) The 2021 sanitary sewer lining project started this week and is moving along well; this includes the additional work approved at the last meeting. 2) The 2021 sewer clean out project is complete except for a little lawn restoration.

12.2. **Planning**

12.2.1. Resolution 2021-35 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR SHEPHERD'S CORNER LAND DEVELOPMENT (LMT 09-018)

Motion by Commissioner Robert, seconded by Commissioner Higgins, to approve Resolution 2021-35. There were 5 ayes. Motion carried.

12.2.2. Resolution 2021-36 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE BEIT SIMCHA MESSIANIC FELLOWSHIP LAND DEVELOPMENT (LMT 13-052)

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve Resolution 2021-36. There were 5 ayes. Motion carried.

12.2.3. Resolution 2021-37 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR 5374/5392 HAMILTON BOULEVARD (TACO BELL) LAND DEVELOPMENT (LMT 16-067)

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve Resolution 2021-37. There were 5 ayes. Motion carried.

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12.2.4. Planner's Report: 1) The Planning Commission will review four applications; Advanced Health Care land development, Suburban Carwash, Mill Creek Point Apartments conditional use and 3500 Brookside Apartments conditional use.

12.3. Solicitor

12.3.1. Consideration of Adjudication for the Guardian Storage Conditional Use Hearing (DE-21-004) – A concern was raised about the zoning ordinance numbering; Attorney Brooman will review and confirm. There was also a concern with the right of way width for Cedarbrook Road and minimum setback requirements. Finding of Fact #13 was amended to reflect the correct setback. The applicant also requested changes to the adjudication regarding hours of operation.

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve the Adjudication for the Guardian Storage Conditional Use Hearing as amended. There were 5 ayes. Motion carried.

12.3.2. Consideration of Adjudication for the Advanced Health Care Conditional Use Hearing (DE-21-007) – The conditional use was granted by a 4-1 vote. There were comments received after this agenda was published regarding the width of the internal trail and the connection of the Minesite Road walking path. These corrections were made to the adjudication.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to approve the amended Adjudication for the Advanced Health Care Conditional Use Hearing. There were 4 ayes, 1 opposed (Robert). Motion carried.

12.3.3. Resolution 2021-38 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER MACUNGIE TOWNSHIP, LEHIGH COUNTY SUPPORTING ORDINANCE 2020-02

This supports Ordinance 2020-02 and also authorizes a petition to the PA Liquor Control Board to allow LMT to respond to noise complaints from licensed liquor establishments. We were previously granted a one year exemption and we will now request an exemption for 3-5 years. The LCB will need to hold another hearing. Commissioner R.W. Beitler will abstain because he will own a liquor license; Commissioner R.R. Beitler is a partner of the business's land and not the liquor license.

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve Resolution 2021-38. There were 4 ayes, 1 abstained (R.W. Beitler will own a liquor license). Motion carried.

12.4. Township Manager

12.4.1. Resolution 2021-39 – RESOLUTION GRANTING AUTHORITY FOR THE TOWNSHIP TO ENTER INTO A TEMPORARY CONSTRUCTION EASEMENT WITH UGI UTILITIES, INC. TO PERMIT CONSTRUCTION ACTIVITIES ON A PORTION OF TOWNSHIP OWNED PROPERTY ABUTTING ROUTE 100 SOUTH FOR THE PURPOSE OF THE CONSTRUCTION OF A REPLACEMENT GAS MAIN, AND FOR THE TAKING OF ALL NECESSARY, RELATED, AND CONVENIENT ACTIONS IN CONNECTION THEREWITH

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This is a temporary construction easement for UGI to use our property during their construction project.

Motion by Commissioner Higgins, seconded by Commissioner Robert, to approve Resolution 2021-39. There were 5 ayes. Motion carried.

12.4.2. Manager's Report – No Report

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. Request for Temporary Parking Agreement at Wescosville Recreation Center
 - 14.1.7. Plan Approval for the Guardian Storage Lower Macungie LLC Project, DE 21-004 (Consider August 19th)
 - 14.1.8. Public Hydrants Along Sauerkraut Lane Extension (Consider August 19th)
 - 14.1.9. Agreement with USGS for Well Monitoring (Consider August 19th)
- 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 7:50 p.m.

Bruce Beitel
Township Manager

Renea Flexer
Asst. Township Manager/Secretary
August 25, 2021