

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

The Board of Commissioners met on January 3, 2022 to reorganize and 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

Solicitor Brooman called the meeting to order at 7:02 p.m.

2. PLEDGE TO THE FLAG

3. SWEARING IN OF COMMISSIONERS

The Honorable Michael Faulkner administered the Oath of Office and swore in Commissioners Brian P. Higgins, Brian L. Shoemaker, Richard V. Ward and Tax Collector Lora Walmer. The Oaths were signed and acknowledged by the Judge.

4. ROLL CALL

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

5. ELECTION OF BOARD OF COMMISSIONERS PRESIDENT

Solicitor Brooman called for a motion to elect a President.

Motion by Commissioner Ward, seconded by Commissioner Robert, to elect Brian Higgins as President of the Board of Commissioners. There were 5 ayes. Motion carried.

6. ELECTION OF BOARD OF COMMISSIONERS VICE-PRESIDENT

Solicitor Brooman turned the meeting over to President Higgins.

Motion by Commissioner Shoemaker, seconded by Commissioner R.R. Beitler, to elect Richard Ward as Vice-President of the Board of Commissioners. There were 5 ayes. Motion carried.

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

8. ANNOUNCEMENTS & PRESENTATIONS

8.1. An Executive Session was held on December 23rd at 2 p.m. to discuss potential land acquisition.

8.2. The Conflict Solicitor, John Ashcraft, and Conflict Engineer, Hanover Engineering, were appointed on January 4, 2016 until a successor is designated.

9. APPOINTMENT OF TOWNSHIP MANAGER, TOWNSHIP SECRETARY, AND TREASURER

Motion by Commissioner Ward, seconded by Commissioner Robert, to appoint Bruce Beitel as Township Manager. There were 5 ayes. Motion carried.

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Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint Renea Flexer as Asst. Township Manager/Secretary. There were 5 ayes. Motion carried.

Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint Jeff Waltemyer as Township Treasurer. There were 5 ayes. Motion carried.

10. APPOINTMENT OF TOWNSHIP SOLICITOR

Motion by Commissioner Ward, seconded by Commissioner Robert, to appoint David Brooman from High Swartz as Township Solicitor. There were 5 ayes. Motion carried.

11. APPOINTMENT OF TOWNSHIP ENGINEER

Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint Bryan McAdam from CKS Engineers as the Township Engineer. There were 5 ayes. Motion carried.

12. APPOINTMENT OF CODE ENFORCEMENT OFFICIALS & ALTERNATE INSPECTORS

Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint CKS Engineers, Inc. as Alternate Sewage Enforcement Official. There were 5 ayes. Motion carried.

Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint KeyCodes as Commercial Building Inspector, Fire Inspector and Alternate Residential Building Inspector. There were 5 ayes. Motion carried.

13. APPROVAL OF CHECK SIGNATORIES (2 signatures required)

Motion by Commissioner Robert, seconded by Commissioner Ward, to authorize the President of the Board of Commissioners to serve as a check signatory. There were 5 ayes. Motion carried.

Motion by Commissioner Higgins, seconded by Commissioner Ward, to authorize Commissioners Richard Ward and Maury Robert to serve as check signatories. There were 5 ayes. Motion carried.

Motion by Commissioner Robert, seconded by Commissioner Ward, to authorize Bruce Beitel to serve as an alternate signatory in the Treasurer's absence. There were 5 ayes. Motion carried.

14. HEARINGS & APPROVALS

14.1. Resolution 2022-01 – A RESOLUTION GRANTING PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL TO JAINDL LAND COMPANY, FOR THE LAND DEVELOPMENT LOCATED AT 8741 & 8899 MERTZTOWN ROAD, MERTZTOWN, PA 19539

The Mertztown Road Residential Subdivision and Land Development plan subdivides 117 acres to create 136 townhomes and 264 single detached homes with trails and generous landscaping. It will have a homeowner's association to maintain the stormwater, open space and private roads. There is a deferral to widening Locust Lane, which will be public. President Higgins is not in favor of private roads for single family homes.

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Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-01. There were 5 ayes. Motion carried.

15. PUBLIC COMMENT ON NON-AGENDA TOPICS – None

16. COMMUNICATIONS

16.1. William Smith, 1574 Bogie Avenue – Retraction of Statement of Interest for the Zoning Hearing Board. He is the current Alternate and his term expired December 31, 2021.

17. APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS

17.1. Appoint One to the Building Code Board of Appeals with a Term to Expire 1/1/2025.

Motion by Commissioner Robert, seconded by Commissioner Ward, to reappoint Jeffrey Machik to the Building Code Board of Appeals with a term to expire January 1, 2025. There were 5 ayes. Motion carried.

17.2. Appoint Two to the Environmental Advisory Council with Terms to Expire 1/1/2025 and One to Fill the Vacancy with a Term to Expire 1/1/2023.

Motion by Commissioner Robert, seconded by Commissioner Ward, to reappoint Christopher Sacchi and Becky Short to the EAC with terms to expire January 1, 2025. There were 5 ayes. Motion carried.

Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint Ellen Iobst to fill the vacancy on the EAC with a term to expire January 1, 2023. There were 5 ayes. Motion carried.

17.3. Appointment of EAC Chair

Motion by Commissioner Robert, seconded by Commissioner Ward, to reappoint Christopher Sacchi as Chair of the EAC. There were 5 ayes. Motion carried.

17.4. Appoint Two to the Planning Commission with Terms to Expire 1/1/2026

Motion by Commissioner Robert, seconded by Commissioner Ward, to reappoint Wesley Barrett and Rudy Fischl to the Planning Commission with terms to expire January 1, 2026. There were 5 ayes. Motion carried.

17.5. Appoint One to the Vacancy Board with a Term to Expire 1st Monday in January 2023

Motion by Commissioner Robert, seconded by Commissioner Ward, to reappoint Julie McDonnell to the Vacancy Board with a term to expire the 1st Monday in January, 2023. There were 5 ayes. Motion carried.

17.6. Resolution 2022-02 – RESOLUTION APPROVING AN APPOINTMENT TO THE LOWER MACUNGIE TOWNSHIP ZONING HEARING BOARD

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-02 reappointing Charles Ervin to the Zoning Hearing Board with a term to expire December 31, 2024. There were 5 ayes. Motion carried.

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18. APPROVAL OF MINUTES OF PREVIOUS MEETING(S) – Tabled until a legal review is done to see if a Commissioner can vote to approve the minutes if they were not present.

19. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

19.1. Mr. Beitel reviewed the January 3, 2022 Bill List.

01	General Fund	\$602,132.03	37	Developers Impact	
08	Sewer Fund	\$14,577.24	01	Payroll	\$297,469.98
30	Capital Projects Fund	\$14,882.60	36	Developers Escrow	\$84.56
35	Liquid Fuels	\$5,831.95		Total Funds	\$934,978.36

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the January 3, 2022 Bill List as drafted. There were 5 ayes. Motion carried.

20. DEPARTMENTAL MATTERS

20.1. **Engineering**

20.1.1. Engineer’s Report – Expressed appreciation for his appointment.

20.2. **Planning**

20.2.1. Consideration of Sewer Planning Module for Mertztown Road Residential Subdivision – A 30 day comment period ended December 31st and no comments were received.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the Sewer Planning Module for the Mertztown Road Residential Subdivision. There were 5 ayes. Motion carried.

20.2.2. Resolution 2022-03 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE SPRING CREEK PROPERTIES SETTLEMENT SUBDIVISION

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-03. There were 5 ayes. Motion carried.

20.2.3. Planner’s Report – There are two Planning Commission meetings in January due to the amount of submissions and continued old business.

20.3. **Solicitor**

20.3.1. Solicitor’s Report: 1) Expressed thanks for his appointment. 2) There are four upcoming conditional use hearings. 3) There are three of five very old security releases completed and two more are upcoming for Spring Creek Properties and Hills at Lock Ridge.

20.4. **Township Manager**

20.4.1. Manager’s Report – None

21. COMMITTEE REPORTS

21.1. The next Board of Commissioner’s Workshop is January 24th at 6 p.m.

22. OTHER BUSINESS

22.1. **Old Business**

- 22.1.1. Crossing Guard Agreement with EPSD (Notified of No Cost Sharing)
- 22.1.2. Chapter 18 Sewers Amendment (To Be Drafted)
- 22.1.3. Chapter 23 Stormwater Amendment (To Be Drafted)
- 22.1.4. Chapter 27 Zoning Amendment, Lookback (To Be Drafted)
- 22.1.5. Public Works Collective Bargaining Agreement (Being Negotiated)

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22.1.6. Krocks Road ROW Deed of Dedication (To Be Drafted)

22.1.7. Approving a Permanent Easement with Lutron for the Compost Facility Access Road and Compensation Agreement (Consider in January)

22.1.8. Trexlertown Special 537 Study (Planning Commission to Review in February)

22.1.9. Conditional Use Hearings for DADD Pizza and NH-Macungie (January 20th)

22.2. **New Business** – None

23. BOARD OF COMMISSIONERS REPORT – None

24. PUBLIC COMMENT – None

25. EXECUTIVE SESSION – None

26. ADJOURNMENT

President Higgins adjourned the meeting at 7:35 p.m.

Bruce Beitel
Township Manager

Renea Flexer
Asst. Township Manager/Secretary
January 11, 2022