

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

The Board of Commissioners met on February 2, 2023 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 Higgins called the meeting to order at 6:01 p.m.

2. PLEDGE TO THE FLAG

3. <u>ROLL CALL</u>	Brian P. Higgins, President	Present
	Richard V. Ward, Vice President	Present
	Ron R. Beitler, Commissioner	Absent
	Maury G. Robert, Commissioner	Present
	Brian L. Shoemaker, 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 via Zoom

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

5. ANNOUNCEMENTS & PRESENTATIONS – None

6. HEARINGS & APPROVALS

President Higgins adjourned the regular meeting at 6:02 p.m. for the following hearing.

- 6.1. Conditional Use Hearing for FireFly Technologies, Inc. – Solicitor Brooman explained the conditional use procedure. A stenographic record was taken of the hearing. The applicant proposes ultra-light manufacturing at 6265 Hamilton Blvd. Units 4 & 6, located in the C-Commercial Zoning District. The applicant provided information on what will be made at the facility on weekdays between 8 a.m. and 5 p.m. Parking is available for all employees and trucks will come to the site a few times a month. There are no direct sales and no customers off the street. The items manufactured are sold to companies that use them to manufacture their products. There is no storage of chemicals outside the buildings and other than what was noted in the offer of proof, no other hazardous substance is stored in the building. There was no public comment.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the conditional use application of FireFly Technologies, Inc., to authorize ultra-light manufacturing at the property located at 6265 Hamilton Boulevard, Allentown, PA, 18106, PIN 547513420268, subject to the following conditions: 1) Applicant shall comply in all material respects with the testimony and exhibits presented to the Board of Commissioners 2) Applicant shall address the comments contained in the Planning Department's review memorandum dated December 8, 2022, and the Zoning Officer's review memorandum dated November 21, 2022, to the satisfaction of the Township Engineer and Director of Planning and Community Development 3) At no point shall the approved facility or business operate in any way that is beyond the definition of ultra-light manufacturing. Further, at no point shall the proposed use ever conduct business or operations that meet the definition of the warehouse, wholesale, storage or distribution use. There were 4 ayes. Motion carried.**

President Higgins closed the hearing and reconvened the regular meeting at 6:19 p.m.

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- 6.2. Resolution 2023-05 – RESOLUTION CONFIRMING AND AFFIRMING SPRUCE ROAD AS THE CORRECT NAME FOR THE ROAD IN ALLEN WEST ESTATES, ALSO KNOWN AS PINE GROVE PARK

There has been confusion if it should be Street or Road and this Resolution would eliminate any confusion. Two businesses would change to Road; all residents are already Road.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-05. There were 4 ayes. Motion carried.**

- 6.3. Resolution 2023-06 – A RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO SIGN A TRAFFIC SIGNAL MAINTENANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

This Agreement is part of PennDOT's new process. Previously, all signal changes were approved by resolution with a PennDOT TE-160 form. Going forward, only a PennDOT TE-160 form is needed.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-06. There were 4 ayes. Motion carried.**

- 6.4. Consideration of Traffic Signal Applications (TE-160) for Ten Intersections Included in the Adaptive Signal Upgrade Project – These are required applications that authorize us to apply to install the adaptive technology. Intersections are: 1) Hamilton Blvd. and Shepherd Lane 2) Hamilton Blvd. and Krocks Ct. 3) Hamilton Blvd. and N. Krocks Rd. 4) Hamilton Blvd. and private drive 5) Hamilton Blvd. and Brookside Rd. 6) Hamilton Blvd. and Minesite Rd. 7) N. Krocks Rd. and private drive 8) Rt. 222 and N. Krocks Rd. 9) Hamilton Blvd. and Mill Creek Rd. 10) Hamilton Blvd. and Commercial Center Dr.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the Traffic Signal Applications (TE-160) for ten intersections included in the Adaptive Signal Upgrade Project. There were 4 ayes. Motion carried.**

7. PUBLIC COMMENT ON NON-AGENDA TOPICS – None

8. COMMUNICATIONS

- 8.1. Robert Rust, Planning Commission – Letter of resignation.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to accept the resignation of Robert Rust from the Planning Commission with regret. There were 4 ayes. Motion carried.**

9. APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS

- 9.1. Library Board of Directors – Appoint Two with Terms Expiring January 31, 2026

**Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint Jason Raines and George Doughty to the Library Board with terms expiring January 31, 2026. There were 4 ayes. Motion carried.**

10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the January 19, 2023 minutes as drafted. There were 4 ayes. Motion carried.**

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**11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL**

11.1. Mr. Beitel reviewed the February 2, 2023 Bill List, which is always posted to the Township’s website prior to the meeting.

01	General Fund	\$316,410.21	33	Open Space Fund	
08	Sewer Fund	\$509,371.51	35	Liquid Fuels	\$16,892.00
19	Debt Service Fund		37	Developers Impact	
30	Capital Projects Fund	\$8,954.28	01	Payroll	\$154,096.41
32	Federal Grants Fund		36	Developers Escrow	\$14,982.33
				<b>Total Funds</b>	<b>\$1,020,706.74</b>

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the February 2, 2023 Bill List as drafted. There were 4 ayes. Motion carried.**

**12. DEPARTMENTAL MATTERS**

**12.1. Engineering**

12.1.1. Engineer’s Report – No Report

**12.2. Planning**

12.2.1. Resolution 2023-07 – A RESOLUTION REDUCING THE FINANCIAL SECURITY FOR THE COMMERCIAL LAND DEVELOPMENT OF ELK INVESTMENTS, LLC, DOING BUSINESS AS GREEN ACRES OUTDOOR LIVING, AT 219 SCHANTZ RD., WESCOSVILLE, PA

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-07. There were 4 ayes. Motion carried.**

12.2.2. Resolution 2023-08 – A RESOLUTION REDUCING AND TERMINATING THE FINANCIAL SECURITY, AND CLOSING OUT THE GRAYMOOR SUBDIVISION AND LAND DEVELOPMENT PROJECT OF PULTE HOMES OF PA, LP

This project was approved in December 2003. There was a minor modification to the NPDES permit for the final stormwater quality work. All development work has been satisfied and is ready for project closeout.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-08. There were 4 ayes. Motion carried.**

12.2.3. Planner’s Report: 1) There will be another conditional use hearing at the next Board meeting for the North Krocks Road mixed use project.

**12.3. Solicitor**

12.3.1. Solicitor’s Report – No Report

**12.4. Township Manager**

12.4.1. Consideration of Animal Control Services Contract until December 31, 2023

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the Animal Control Services Contract with The Sanctuary at Haafsville until December 31, 2023. There were 4 ayes. Motion carried.**

12.4.2. Consideration of Approving the Updated Fund Balance Policy – The Policy is GASB compliant and designates how we are able to allocate the fund balance.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the updated Fund Balance Policy. There were 4 ayes. Motion carried.**

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12.4.3. Consideration to Participate in the Sewer Lateral Grouting Project with Lehigh County Authority with a Cost Not to Exceed \$200,000 – This project would be part of our ongoing capital maintenance for sewers. LCA would sponsor the project, which would include bidding, construction oversight and management and the Township would then reimburse LCA.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve participation in the Sewer Line Grouting Project with Lehigh County Authority with a cost not to exceed \$200,000. There were 4 ayes. Motion carried.**

12.4.4. Manager's Report: 1) An Executive Session will be held immediately following this meeting.

**13. OTHER BUSINESS**

**13.1. Old Business**

- 13.1.1. Chapter 18 Sewers Amendment for Updates (To Be Drafted)
- 13.1.2. Chapter 27 Zoning Amendment, Lookback (To Be Drafted)
- 13.1.3. Update Lower Macungie Emergency Operation Plan (Being Drafted)
- 13.1.4. Ordinance Amending Chapter 1 to Reduce the Number of Planning Commission Members to Five (Consider February 16<sup>th</sup>)
- 13.1.5. Ordinance Amending Chapter 27 to Increase the Zoning Hearing Board Voting Members to Five and Eliminate the Alternates (Consider March 16<sup>th</sup>)
- 13.1.6. Ordinance Setting Bridge Weight Limits (To be drafted)
- 13.1.7. Farming of Township Land (Review Bids at February Workshop)
- 13.1.8. Authorize the Solicitor to Advertise an Ordinance Amending the HE-Highway Enterprise Zoning District Pursuant to the Request from Landston Equities, LLC (Consider February 16<sup>th</sup>)
- 13.1.9. Conditional Use Hearing for Lower Macungie Mixed Use Development LLC (February 16<sup>th</sup>)

**13.2. New Business – None**

**14. BOARD OF COMMISSIONERS REPORT**

- 14.1. The next Board Regular Meeting is February 16, 2023 at 6 p.m.
- 14.2. The next Board Workshop is February 27, 2023 at 6 p.m.

**15. EXECUTIVE SESSION**

- 15.1. An Executive Session was held immediately following this meeting regarding land acquisition.

**16. ADJOURNMENT**

President Higgins adjourned the meeting at 6:31 p.m.

Bruce Beitel  
Township Manager

Renea Flexer  
Asst. Township Manager/Secretary  
February 9, 2023