

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

The Board of Commissioners met on March 17, 2022 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 7:00 p.m.

2. PLEDGE TO THE FLAG

3. ROLL CALL

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

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

5. ANNOUNCEMENTS & PRESENTATIONS – None

6. HEARINGS & APPROVALS

President Higgins adjourned the regular meeting at 7:01 p.m. for the following hearing.

6.1. Conditional Use Hearing for Posh Properties No. 48 Hamilton, LLC – Solicitor Brooman explained the conditional use procedure. The hearing was transcribed by a stenographer. The applicant proposes a coordinated commercial land development with a self-storage facility and daycare center. Kathleen Dollgos, 4297 Elm Drive, expressed concern with 24-7 access to the storage units and light pollution and would like the property fenced. Dennis Seman, 1375 Heather Circle West, recommended yellow colored lighting. It was discussed to add language in the decision about the hours of operation.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to authorize the Solicitor to prepare a written decision approving the Conditional Use Application of Posh Properties No. 48 Hamilton, LLC, to permit a coordinated commercial land development with a self-storage facility and daycare center at the properties located at 4316, 4320, 4330 and 4344 Hamilton Blvd., Allentown, PA 18103, subject to the conditions set forth in the Planning Commission Recommendation dated February 10, 2022 and any others discussed on the record at this hearing. Roll Call Vote: Ward, aye; Robert, aye; Beitler, aye; Shoemaker, aye; Higgins, aye. Motion carried.**

President Higgins reconvened the regular meeting at 7:34 p.m.

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- 6.2. Resolution 2022-19 – RESOLUTION MODIFYING AND AMENDING THE PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL SET FORTH IN RESOLUTION 2021-46, FOR THE PURPOSE OF INCORPORATING AND APPROVING A LOT CONSOLIDATION PLAN, RELATING TO THE DEVELOPMENT OF A SELF-STORAGE BUILDING LOCATED AT 4440-4478 CEDARBROOK ROAD BY GUARDIAN STORAGE OF LOWER MACUNGIE, LLC

The plan modifies the Guardian Storage land development plan to consolidate four lots into one.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-19. There were 5 ayes. Motion carried.**

- 6.3. Resolution 2022-20 – RESOLUTION GRANTING AN EXTENSION OF THE NINETY DAY DEADLINE IN RESOLUTION 2022-01 WHICH GRANTED PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL TO JAINDL LAND COMPANY FOR A LAND DEVELOPMENT LOCATED AT 8741 & 8899 MERTZTOWN ROAD, MERTZTOWN, PA

Staff recommends granting an extension to finalize the plans and agreements.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-20. There were 5 ayes. Motion carried.**

7. PUBLIC COMMENT ON NON-AGENDA TOPICS

- 7.1. Dennis Seman, 1375 Heather Circle West, provided a written statement about basketball backboards to President Higgins that will be forwarded to all Board members on his behalf.

8. COMMUNICATIONS – None

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

10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the March 3, 2022 minutes as drafted. There were 5 ayes. Motion carried.**

11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

- 11.1. Mr. Beitel reviewed the March 17, 2022 Bill List.

01	General Fund	\$178,923.64	33	Open Space Fund	
08	Sewer Fund	\$62,123.10	35	Liquid Fuels	\$11,050.85
19	Debt Service Fund		37	Developers Impact	
30	Capital Projects Fund	\$3,630.00	01	Payroll	\$149,629.29
32	Federal Grants Fund		36	Developers Escrow	\$43,837.04
				<b>Total Funds</b>	<b>\$449,193.92</b>

**Motion by Commissioner Robert, seconded by Commissioner Beitel, to approve the March 17, 2022 Bill List as drafted. There were 5 ayes. Motion carried.**

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**12. DEPARTMENTAL MATTERS**

**12.1. Engineering**

12.1.1. Engineer's Project Status Report: 1) There are several projects out to bid and will be reviewed at the March Workshop.

**12.2. Planning**

12.2.1. Resolution 2022-21 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE MOUNTAIN VIEW ESTATES SUBDIVISION AND LAND DEVELOPMENT

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-21. There were 5 ayes. Motion carried**

12.2.2. Resolution 2022-22 – A RESOLUTION CLOSING OUT THE ESTATES AT MILLRACE LAND DEVELOPMENT PROJECT AND TERMINATING THE SUBDIVISION IMPROVEMENT AGREEMENT RELATING TO THE DEVELOPMENT

The punch list is completed. The Developer is resolving a sinkhole that opened at the end of last week and is waiting on concrete work to be completed. Staff recommends approval with a condition to complete remediation of the sinkhole.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-22 as amended to include the condition that the sinkhole is corrected to the satisfaction of the Township Engineer. There were 5 ayes. Motion carried.**

12.2.3. Planner's Report – No further report.

**12.3. Solicitor**

12.3.1. Consideration to Approve the Adjudication for the DADD Pizza Macungie, Inc. Conditional Use Hearing

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the written decision for the DADD Pizza Macungie, Inc. Conditional Use Hearing. There were 5 ayes. Motion carried.**

12.3.2. Consideration to Approve the Adjudication for the Woodmont Properties, LLC Conditional Use Hearing

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the written decision for the Woodmont Properties, LLC Conditional Use Hearing. There were 5 ayes. Motion carried.**

12.3.3. Solicitor's Report – No further report.

**12.4. Township Manager**

12.4.1. Resolution 2022-23 – RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER MACUNGIE TOWNSHIP, LEHIGH COUNTY APPROVING AN AGREEMENT WITH EMMAUS AQUATIC CLUB

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This is to continue the agreement with the Emmaus Aquatic Club for pool services such as staffing lifeguards, chemical checks, ect. The cost is \$18,000 less than last year because the Township will staff the admissions window this year. Payments are due on the 15<sup>th</sup> of each month from May to September.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-23. There were 5 ayes. Motion carried.**

12.4.2. Manager's Report – No further report.

**13. COMMITTEE REPORTS**

13.1. The next Board of Commissioner's Workshop is March 28<sup>th</sup> at 6 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 18 Sewers Amendment (To Be Drafted)
- 14.1.3. Chapter 23 Stormwater Amendment (To Be Drafted)
- 14.1.4. Chapter 27 Zoning Amendment, Lookback (To Be Drafted)
- 14.1.5. Public Works Collective Bargaining Agreement (Being Negotiated)
- 14.1.6. Approving a Permanent Easement with Lutron for the Compost Facility Access Road and Compensation Agreement (Being Drafted)
- 14.1.7. Review Bids for Roadwork, Stormwater and Sanitary Sewer Projects & Grass Cutting (March Workshop)
- 14.1.8. Trexlertown Special 537 Study-(Planning Commission to Review in March)
- 14.1.9. Resolution Approving Tax Collector Bond (Awaiting Bond from County)
- 14.1.10. Approve Adjudication for the Conditional Use Hearing of Grist Mill Development (Approval no later than April 7<sup>th</sup>)
- 14.1.11. Resolution 2022-08 – Accepting Dedication of Krocks Court Right of Way for the Shepherd's Corner Land Development (Awaiting Signed Deed from Applicant)
- 14.1.12. Update Ordinance Chapter 5, Uniform Construction Code (Preparing Advertisement)

**14.2. New Business – None**

**15. BOARD OF COMMISSIONERS REPORT – None**

**16. PUBLIC COMMENT – None**

**17. EXECUTIVE SESSION**

17.1. There was an Executive Session after the March 3<sup>rd</sup> Board meeting to discuss personnel. There will be an Executive Session immediately following this meeting to discuss possible land acquisition.

**18. ADJOURNMENT**

President Higgins adjourned the meeting at 7:50 p.m.

Bruce Beitel  
Township Manager

Renea Flexer  
Asst. Township Manager/Secretary  
March 21, 2022