

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

The Board of Commissioners met on April 7, 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
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

5.1. There was an Executive Session held at 6:45 p.m. this evening to discuss personnel.

6. HEARINGS & APPROVALS

6.1. Consideration of the Adjudication for the Grist Mill Development Conditional Use Hearing – Hearings were held on February 17<sup>th</sup> & March 3<sup>rd</sup>.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the written decision for the Grist Mill Development Conditional Use Hearing. There were 5 ayes. Motion carried.**

6.2. Consideration of the Adjudication for the Posh Properties Conditional Use Hearing – The hearing was held on March 17<sup>th</sup>.

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

6.3. Resolution 2022-24 – A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL TO POSH PROPERTIES NO 1, LLC FOR A COORDINATED COMMERCIAL LAND DEVELOPMENT WITH A SELF-STORAGE FACILITY AND DAYCARE CENTER AT THE PROPERTIES LOCATED AT 4316, 4320, 4330 AND 4344 HAMILTON BOULEVARD, ALLENTOWN, PENNSYLVANIA

This is for a coordinated commercial development for a daycare center and storage facility. There was a previous concern that there was no review letter from the Fire Marshal, but the recommendation letter has since been received.

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**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-24. There were 5 ayes. Motion carried.**

6.4. Consideration of Sewer Planning Module for Posh Properties Commercial Development

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the Sewer Planning Module for the Posh Propertied Commercial Development. There were 5 ayes. Motion carried.**

7. PUBLIC COMMENT ON NON-AGENDA TOPICS

7.1. County Executive, Phillips Armstrong, introduced Yorman De La Rosa, Community Liaison. This is a newly created position as Mr. Armstrong feels it's important to keep a connection with municipalities. The county recently processed 1,500 small business and fire company grants. No Board members had any questions of Mr. Armstrong.

8. COMMUNICATIONS

8.1. Olen Biehl, 1520 S. Krocks Road – Resignation from the Public Safety Commission

**Motion by Commissioner Robert, seconded by Commissioner Ward, to regretfully accept the resignation of Olen Biehl from the Public Safety Commission. There were 5 ayes. Motion carried.**

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 17, 2022 minutes as drafted. There were 5 ayes. Motion carried.**

11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

11.1. Mr. Beitel reviewed the April 7, 2022 Bill List.

01	General Fund	\$524,653.29	33	Open Space Fune	3142.02
08	Sewer Fund	\$9,453.35	35	Liquid Fuels	\$19,329.09
19	Debt Service Fund		37	Developers Impact	
30	Capital Projects Fund	\$44,272.53	01	Payroll	\$166,285.69
32	Federal Grants Fund		36	Developers Escrow	\$43,685.61
				<b>Total Funds</b>	<b>\$810,821.58</b>

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the April 7, 2022 Bill List as drafted. There were 5 ayes. Motion carried.**

12. DEPARTMENTAL MATTERS

12.1. **Engineering**

12.1.1. Consideration of the following bid awards, all of which were discussed at the last Workshop and are recommended to award.

12.1.1.1. Sewer Lateral Cleanout Installation Project – There were five bids.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to award the Sewer Lateral Cleanout Installation Project Bid to Wexcon, Inc. in the amount of \$160,225. There were 5 ayes. Motion carried.**

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12.1.1.2. Cross Creek Road Drainage Improvements Project – There were five bids.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to award the Cross Creek Road Drainage Improvements Project Bid to Stonewood Landshaping in the amount of \$107,935. There were 5 ayes. Motion carried.**

12.1.1.3. Maulfair Drive Drainage Improvements Project – There were four bids.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to award the Maulfair Drive Drainage Improvements Project Bid to Anrich, Inc. in the amount of \$395,899. There were 5 ayes. Motion carried.**

12.1.1.4. Chip Seal/Quick Set Fog Seal Project – There was one bid.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to award the Chip Seal/Fog Seal Program Bid to Asphalt Maintenance Solutions in the amount of \$265,556.02. There were 5 ayes. Motion carried.**

12.1.1.5. Micro Surfacing Paving Project – There was one bid.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to award the Micro Surfacing Paving Project to Asphalt Maintenance Solutions in the amount of \$391,895.22. There were 5 ayes. Motion carried.**

12.1.1.6. Crack Sealing Program – There was one bid.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to award the Crack Sealing Program Bid to Asphalt Maintenance Solutions in the amount of \$128,412. There were 5 ayes. Motion carried.**

12.1.1.7. Ultra-Thin Bonded Wearing Course Program – There was one bid received.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to award the Ultra-Thin Bonded Wearing Course Program Bid to Asphalt Maintenance Solutions in the amount of \$290,093.54. There were 5 ayes. Motion carried.**

It was noted that each Township road is addressed with maintenance once every seven years. There are 135 miles of Township roads.

12.2. Engineer’s Report – No further report.

12.3. **Planning**

12.3.1. Resolution 2022-25 – RESOLUTION MODIFYING AND AMENDING THE PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL SET FORTH IN RESOLUTION NOS. 2005-81 AND 2015-18 FOR THE DEVELOPMENT AT 1445 WEILERS ROAD COMMONLY KNOWN AS SCHAEFER RUN COMMONS TO PROVIDE A WAIVER FROM THE TOWNSHIP CODE AND ALLOW THE USE OF HDPE STORM SEWER PIPE

The developer of Schaefer Run Commons requests a waiver from the requirement of concrete storm water pipe and to use HDPE pipe. The resolution approves a waiver, except at certain noted connection points.

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**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-25. There were 5 ayes. Motion carried.**

- 12.3.2. Resolution 2022-26 – A RESOLUTION REDUCING FINANCIAL SECURITY FOR THE STONE HILL MEADOWS PHASE 2 FINAL SUBDIVISION AND LAND DEVELOPMENT

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-26. There were 5 ayes. Motion carried.**

- 12.3.3. Consideration for Staff to Attend the Zoning Hearing Board Hearing in Regards to the Appeal of DNJ Property, LLC, Appeal No. 12-2022 – This is minor subdivision for three dwelling unit lots at the corner of Willow Lane and Sauerkraut Lane. The farmhouse and barn would remain and one newly created lot is out of the flood zone, but the other new lot would be in the 500 year flood zone, which needs a variance.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to allow Manager Beitel to direct staff to attend the Zoning Hearing Board meeting in regards to the Appeal of DNJ Property, LLC, Appeal No. 12-2022. There were 5 ayes. Motion carried.**

- 12.3.4. Planner's Report: 1) The agenda is online for the April 12<sup>th</sup> Planning Commission meeting.

12.4. **Solicitor**

- 12.4.1. Resolution 2022-08 – A RESOLUTION CONFIRMING ACCEPTANCE OF A DEED OF CONFIRMATION FOR A PORTION OF THE RIGHT OF WAY FOR KROCKS COURT WHICH IS ALREADY IN USE AS A RIGHT OF WAY PURSUANT TO THE REQUEST OF THE LEHIGH COUNTY GIS OFFICE AND SHOWN ON THE FINAL APPROVED PLAN AS "EXISTING RIGHT OF WAY, KROCKS COURT"

This Resolution was tabled on February 3, 2022. The Shepherd's Corner land development project was approved in 2009 and modified in 2020 and this Resolution approves a small portion of Right of Way on Krocks Court.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2022-08. There were 5 ayes. Motion carried.**

- 12.4.2. Solicitor's Report – No further report.

12.5. **Township Manager**

- 12.5.1. Consideration to Reject All Bids and Rebid the Grass Cutting Project – There were two bids received and after review, staff recommends to reject all bids and rebid.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to reject all bids for the Grass Cutting Project and rebid. There were 5 ayes. Motion carried.**

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- 12.5.2. Consideration of the 2022-2025 Public Works Collective Bargaining Agreement – The old contract expired December 31, 2021. The new contract is for January 1, 2022 to December 31, 2024. Thanks were given to Manager Beitel and the Solicitors for their hard work on the agreement.

**Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the 2022-2025 Public Works Collective Bargaining Agreement. There were 5 ayes. Motion carried.**

- 12.5.3. Manager's Report: 1) The Township is working to coordinate several water turn offs on those with delinquent sewer accounts. There was a two-year hiatus of this process due to the pandemic. Properties will be tagged the week of April 11<sup>th</sup> with potential shut off on April 21<sup>st</sup>.

**13. COMMITTEE REPORTS**

- 13.1. The next Board of Commissioner's Workshop is April 25<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. Approving a Permanent Easement with Lutron for the Compost Facility Access Road and Compensation Agreement (Being Drafted)
- 14.1.6. Consider Bids for CIPP Sewer Lateral Relining and Rebidded Grass Cutting (Consider April 21<sup>st</sup>)
- 14.1.7. Trexlertown Special 537 Study (Consideration in June)
- 14.1.8. Resolution Approving Tax Collector Bond (Awaiting Bond from County)
- 14.1.9. Resolution Approving Destruction of Records (April 21<sup>st</sup>)
- 14.1.10. 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 – No additional Executive Session.**

**18. ADJOURNMENT**

President Higgins adjourned the meeting at 7:33 p.m.

Bruce Beitel  
Township Manager

Renea Flexer  
Asst. Township Manager/Secretary  
April 14, 2022