

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on December 4, 2014, at 7:00 PM, in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Those present were Chairman, James M. Brunell; Secretary, Kathy A. Rader; Solicitor, Andrew Schantz; Township Engineer, Scott Stenroos; Township Manager, Daniel Olpere, Treasurer, Barry Moyer; Director of Public Works, Scott Faust; Fire Commissioner, Grant Grim; and, Chief Edgardo Colón.

Chairman James M. Brunell opened the meeting and asked all present to join him in the Pledge of Allegiance to the flag of the United States of America.

**REMEMBERING SAMIR P. ASHMAR** – Due to the untimely passing of Vice Chairman Samir P. Ashmar, on November 20<sup>th</sup>, Chairman Brunell asked all for a moment of silence and then a moment of remembering.

**VACANCY PROCEDURE** – Solicitor Schantz then explained the procedure for filling a vacancy in office, as required by the Second Class Township Code. He also stated that anyone being appointed would have to run, in next year's election cycle, and win to keep the office. The interviews for the candidates to fill VC Ashmar's office will be held toward the end of the meeting.

**MINUTES** - Chairman Brunell stated that the minutes of the previous meetings of November 3, 6, 10, 17 & 24, 2014, would not be read unless there was some objection. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimously approved it was agreed to waive the reading of the minutes of the previous meetings and approve the minutes as presented.

**PUBLIC COMMENTS** – None

**PRESENTATION/COURTESY OF THE FLOOR** – None

#### **ORDINANCES**

**Ordinance #2014-11** – AN ORDINANCE OF THE UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, PART 6, SECTION 1-601, ET SEQ. ENTITLED "PENSION PLAN FOR TOWNSHIP EMPLOYEES" IN ORDER TO COMPLY WITH THE STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, Ordinance #2014-11 is passed.

#### **RESOLUTIONS**

**Resolution #2014 – 45 - Docket #1901 - Hidden Meadows Phase 1B – Final Plan** – Phase 1B includes 79 townhouse/condominium dwelling units with supporting infrastructure and public roadways. Detention basins, storm water quality and infiltration devices and common parking areas are to be owned and maintained by a homeowners association. This project is being recommended by the Planning Commission with waivers and conditions as listed in the letter from Keystone Consulting Engineers, Inc., dated December 2, 2014. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, BE IT RESOLVED that Docket #1901- Hidden Meadows Phase 1B – Final Plan is approved with the waivers and conditions.

**Resolution #2014 – 46 - Docket #2124 - Heather Glen Commercial Development – Preliminary/Final Plan Submission – Minor Subdivision Plan** – Lot-line adjustment between two tracts. Lot 1 – 2.56 acres and Lot 2, 4.28 acres. This project is being recommended for approval by the Planning Commission. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, BE IT RESOLVED that Docket #2124 Heather Glen Commercial Development – Preliminary/Final Plan Submission – Minor Subdivision Plan is approved.

**Resolution #2014 – 47 - Docket #2124 - Heather Glen Commercial Development – Land Development - Preliminary / Final Plan Submission** – Land Development plan on two lots. Lot 1 proposes an office and retail building on two floors. Lot 2 proposes a personal care home. This project is being recommended for conditional approval by the Planning Commission, subject to the conditions and waivers as listed in the letter from Keystone Consulting Engineers, Inc., dated December 2, 2014. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, BE IT RESOLVED that Docket #2124 Heather Glen Commercial Development – Land Development – Preliminary / Final Plan is approved with the waivers and conditions.

**Resolution #2014 – 48 - Docket #2125 - Lehigh Hills Lot 3 Pad Sites – Revised Final Land Development Plan** – This plan was previously conditionally approved by the Board of supervisors at the July 1, 2013 meeting. Conditions of that approval are still outstanding. This revised plan proposes two additional buildings, one retail and one Dunkin' Donuts with a drive-thru. This revised project is being

recommended for conditional approval by the Planning Commission, subject to the previous and new conditions as listed in the review letter of Keystone Consulting Engineers, Inc., dated December 2, 2014. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, BE IT RESOLVED that Docket #2125 – Lehigh Hills Lot 3 Pad Sites – Revised Final Land Development Plan is approved with conditions.

**Resolution #2014 – 49 - Docket #2168 - Hometown Diner – Lot Consolidation & Land Development Plan** – This projects proposes to consolidation two lots and expand the existing diner by 1,800 square feet. This project is being recommended by the Planning Commission with waivers and conditions as listed in the letter from Keystone Consulting Engineers, Inc., dated December 2, 2014. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, BE IT RESOLVED that Docket #2168 – Hometown Diner – Lot Consolidation & Land Development Plan is approved with waivers and conditions.

**Resolution #2014 – 50 - Docket #1892 - Highgate Phase III (Dunbar Tract) – Revised Final Subdivision and Land Development Plan** – This plan proposes to revise the townhouse unit widths from 24' to 22'. These unit widths are a revision to the approved final plan, not a new submission plan. This project is being recommended by the Planning Commission with waivers and conditions as listed in the letter from Keystone Consulting Engineers, Inc., dated December 2, 2014. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, BE IT RESOLVED that Docket #1892 – Highgate Phase III (Dunbar Tract) – Revised Final Subdivision and Land Development Plan is approved with waivers and conditions.

**Resolution #2014 – 51 - Route 100 and Weilers Road, PennDOT Form TE160, for Left Turn Phasing Change** – A resolution is needed to allow Secretary Rader to sign the forms for the application for the Traffic Signal Approval for the left turn phasing change at Route 100 and Weilers Road. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, BE IT RESOLVED, permission is given to Secretary Rader to sign the necessary forms.

#### **MOTIONS**

**Sewer Authority Manager** – Township Manager Olpere introduced Joseph Bateman for consideration for the position of Sewer Authority Manager, to replace the former manager, now retired, Richard Henderson. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, Joseph Bateman is hired to fill the position.

**Animal Control** – Proposals have been received from the Lehigh County Humane Society (at a cost of \$12,000 for the year 2015) and the Sanctuary at Haafsville (at a cost of \$7,000 for the year 2015). After much discussion, including some negative reports regarding the Sanctuary at Haafsville, a motion was made by Chairman Brunell, seconded by Secretary Rader and unanimous to contract with the Lehigh County Humane Society.

#### **DISCUSSIONS & UPDATES - None**

#### **REPORTS**

**Treasurer's Report – November Bills – General Fund \$820,848.21** – A motion was made by Chairman Brunell, seconded by Secretary Rader, and unanimously approved to pay the bills for November, totaling \$820,848.21

**Recreation Board Report** – The Recreation Passport listing coming events is on the table for distribution. Secretary Rader reported that it is with great regret that Recreation Board Chairman Richard Kiser is resigning from the Board. Mr. Kiser has been with the Board since it was created in 2009. He will definitely be missed. Upon a motion by Secretary Rader, seconded by Chairman Brunell, and unanimous, Kiser's resignation is hereby accepted.

**Planning Commission Report** – Scott Stenroos reported that there were 13 items on the Planning Commission agenda for the month of November. Some of the approvals were covered, above, in Resolutions. Conditional Use Hearings were set for Old Dominion Freight on December 10<sup>th</sup> and Home Depot Parking Lot Expansion on December 15<sup>th</sup>. Bortz Property received a recommendation for preliminary approval with waivers & conditions; Liberty at Mill Creek and Oakview Value Place & Hotel were tabled; Above & Beyond Personal Care Facility, Boston Beer Company, and Lehigh Valley West II withdrew.

Solicitor Schantz reported that he received notification from the applicant for Old Dominion Freight that the Condition Use Review Hearing **will not** be held on December 10<sup>th</sup>.

**Upper Macungie Township Police Report – Chief Colón**

- 640 Total Calls for Service
- 24 Reportable MVAs
- 60 Non-Reportable MVAs
- 16 Criminal Arrest (Misdemeanor/Felony)
- 9 Non-Traffic Citations (summary)
- 259 Traffic Citations
- 27 Parking Tickets
- 56 Written Warnings
- 93 Alarms
- 1 Burglaries
- 2 Drug/Alcohol Violation
- 11 DUI Offense
- 2 Fraud Crime
- 1 Motor Vehicle Theft
- 2 Vandalism/Criminal Mischief
- 9 Vehicle Break-in/Theft

Chief Colón reflected on his relationship with VC Ashmar. "There will be a void and he will be missed."

Hero's & Helpers, organization for children at the Holidays, was discussed.

Speeding issues...Radar vs VASCAR, also discussed.

**Berks/Lehigh Police Commission Report** – Chairman Brunell reported that on November 20<sup>th</sup>, the PMRS board formally accepted the plan merger between the Berks Lehigh Regional Police plan and the Upper Macungie Township Police plan. This is the last and final order of business for the BLRP Commission.

**Fire/EMS Report** – Fire Commissioner Grim reported: Fire Inspections - 19. Emergency responses: Station 8-- 28; Station 25 – 39; Station 56 - 41; Total 108. EMS Responses: Priority 1 – 75, Priority 2 – 64, Priority 3 – 71, Mutual Aid Required – 3, for a total of 213.

**Public Works Report** - Director Scott Faust – Copy of his report is on the back table. Nothing to add, at this time. Leaf collection is in progress and in final round. There have been difficulties that slowed down the collection due to too much frozen snow on top of the leaves.

**Zoning Report** – Copies of the report are available on the table in the rear of the room. During the month of November, 29 permits were issued, including:

- 3 Permits for new Single Family Dwellings
- 13 Permits for Residential additions/alterations and roofs
- 0 Permit for New Commercial/Industrial Buildings
- 3 Permits for Commercial/Industrial additions/alterations
- 10 Zoning Permits
- 3 Electrical Licenses
- 1 Plumbing Licenses

**November 2014 Zoning Hearing Board Meetings:**

The following Zoning Appeal will be heard by the Zoning Hearing Board of Adjustments on **November 12, 2014:**

**#11 14 012** The Zoning Appeal of S.A.P. Hotels, 5828 Memorial Road, Allentown, PA 18104; for a variance from the requirements of the Upper Macungie Township Zoning Ordinance Section § 27-307.B.3.a. to permit construction of a hotel on a parcel with an area of less than five (5) acres and a variance from Section § 27-307.B.3.g.1) to construct a hotel with a height exceeding thirty-five (35) feet. The property is located at the intersection of Memorial and Blue Barn Roads and is situated in the HC – Highway Commercial Zoning District. *The Zoning Hearing Board voted for a continuance to Wednesday January 28<sup>th</sup>, 2015 to receive and advisory review from the Upper Macungie Township Planning Commission in accordance with Section §27-112.G.*

There was no Zoning Hearing Board Meeting scheduled for **November 26, 2014.**

**December 2014 Zoning Hearing Board Meetings:**

There are no Zoning Hearing Board Meetings scheduled for **December 2014**.

**December Conditional Use Hearings:**

On December 15<sup>th</sup>, 2014 at 6:00 p.m. the Upper Macungie Township Planning Commission will hold a Public Hearing for the Conditional Use Application of Home Depot, USA, Township Docket Number 2154, to allow for an expansion of a previously granted "Warehouse/Distribution" use at a building within a Light Industrial (LI) District having an address commonly known as 8500 Willard Drive.

**Board of Supervisors Actions:**

At a Public Meeting on November 24<sup>th</sup>, 2014 the Upper Macungie Board of Supervisors voted to Appeal the decision of the Upper Macungie Township Zoning Hearing Board of October 8<sup>th</sup>, 2014, Appeal Number 10 14 009, Old Dominion Freight Line, Inc., c/o Jessica Gentile, North Star Construction, 6975 Ambassador Drive, Allentown PA, 18106, where the Zoning Hearing Board ruled that the proposed project meets the definition of a Distribution/Warehouse. A Conditional Use Hearing will be required for this project.

**Lehigh Tax Collection Committee Report – None****SUPERVISOR VACANCY INTERVIEWS**

Chairman Brunell reported that the Board received four applications for the vacant seat on the Board of Supervisors: Larry Bernhard, Joseph Corcoran, John "Sean" Gill, and Shohn Montano. Each applicant was asked to stand, introduce themselves, and state why they wanted to be appointed to the Supervisor position. Mr. Larry Bernhard, could not be present. Therefore, his letter of intent was read aloud. Peg Konnich questioned if the candidates intended to run next year, since Ashmar's term expires at the end of 2015. After some discussion, Chairman Brunell made a motion to appoint John "Sean" Gill to fill the vacant seat left by Samir P. Ashmar. Secretary Rader seconded the motion and it was unanimous. The new Township Supervisor is John "Sean" Gill.

**TOWNSHIP MANAGER'S REPORT** – DANIEL P. OLPERE – The *proposed* 2015 Budget has been approved and should be finalized at the special Board of Supervisors meeting on December 22<sup>nd</sup>. Presently there are three employee vacancies to be filled. There will also be vacancies on the following: Planning Commission, UMT Sewer Authority, and Recreation Board. Now that the budget is finished, his priority is learning more about individual staff members. He also will be more involved with planning and traffic issues.

**SUPERVISORS**

**Chairman BRUNELL** – There is a vacancy on the Planning Commission and UMT Sewer Authority.

**Secretary RADER** – Executive Sessions: November 13, 2014, at 2:00 PM – Personnel Issues  
November 21, 2014, at 10:30 AM – Personnel Issues  
November 24, 2014, at 1:15 PM – Personnel Issues  
December 4, 2014, at 5:40 PM – Personnel Issues

**Announcements:**

--Friday, December 5<sup>th</sup> is the Jingle Bells Holiday Show at Independent Park, from 6-8 PM. Anyone interested must call Valerie at the Township office.

--Sunday, December 7, 2014, at 6:30 PM is the Fogelsville Christmas Tree lighting at the Church Street Park.

--The joint meeting of UMT & LMT that was scheduled for December 8<sup>th</sup>, at 7:00 PM at Independent Park has been postponed until January.

--The Township Reorganization Meeting for 2015 will be held on Monday, January 5<sup>th</sup>, at 7:00 PM. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, the regular monthly meeting for January will also be held on Monday, January 5<sup>th</sup>, immediately following the reorganization meeting (instead of the first Thursday of the month which would be January 1<sup>st</sup>, New Year's Day).

--Board Vacancies – There will be several vacancies on the UMT Boards and Planning Commission. Anyone interested is urged to watch the website for the new application form.

**PUBLIC COMMENT**

**Shohn Montano** – thanked the surrounding fire and police departments for their participation with VC Ashmar's funeral. Chuck Deprill suggested that proclamations be done and given to each department. Fire Commission Grim has a list of all participants.

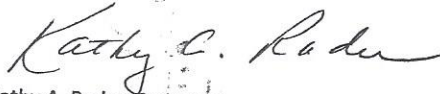
**Arian Wright** – questioned the timing of the light at Newtown Road and Route 222. Scott Stenroos will check with PennDOT.

**Sunny Ghai** – suggested different ways, with Social Media, to disseminate information to the public.

**Peg Konnich** – questioned when the temporary lights for the Schantz Road, Routes 863 and 222 intersections were going to be installed.

**Shohn Montano** – expressed his concerns regarding the Amazon traffic. This was addressed by Scott Stenroos.

Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, the meeting is adjourned at 8:52 PM.



Kathy A. Rader, Secretary