

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on February 5, 2015, at 7:00 PM, in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Those present were Chairman, James M. Brunell; Vice-Chairman John P. "Sean" Gill; Secretary, Kathy A. Rader; Solicitor, Andrew Schantz; Township Engineer, Scott Stenroos; Township Manager, Daniel Olpere, Treasurer, Barry Moyer; Director of Public Works, Scott Faust; UMTA Manager, Joseph Bateman; Fire Commissioner, Grant Grim; and, Police 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.

MINUTES - Chairman Brunell stated that the minutes of the previous meetings of January 5, 2015 (Re-organization Meeting); January 5, 2015 (Regular Monthly Meeting); January 7, 2015; January 15, 2015; and January 22, 2015, would not be read unless there was some objection. Upon a motion by Chairman Brunell, seconded by Vice Chairman Gill, 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

PRESENTATIONS/COURTESY OF THE FLOOR – None

ORDINANCES - None

RESOLUTIONS

Resolution #2015-04 – Docket # 2161 - RESOLUTION GRANTING APPROVAL TO JALAN, LLC, FOR CONDITIONAL PRELIMINARY LAND DEVELOPMENT PLANS PROPOSING THE CONSTRUCTION OF A FOUR (4) STORY 124 ROOM HOTEL COMPRISED OF 54,140 SQUARE FEET AND A 380 UNIT SELF-STORAGE FACILITY COMPRISED OF 37,300 SQUARE FEET LOCATED ON OAK VIEW DRIVE IN UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA – Scott Stenroos reported that this plan received a conditional preliminary land development approval, from the Planning Commission, including all five waivers. Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, BE IT RESOLVED that Resolution #2015-04 is hereby adopted.

Resolution #2015-05 – Docket # 2169 - RESOLUTION GRANTING APPROVAL TO TRIPLE NTE INVESTMENTS, X, LP FOR PRELIMINARY/FINAL LAND DEVELOPMENT PLANS PROPOSING A PARKING LOT EXPANSION, LOADING DOCK PAD, TRUCK TURNAROUND, SILOS, LOADING FACILITIES AND AN EXPANSION TO AN EXISTING BUILDING/FACILITY LOCATED AT 7108 DANIELS DRIVE, LEHIGH COUNTY, PENNSYLVANIA – Scott Stenroos reported that the plan received a conditional preliminary land development approval, from the Planning Commission, including both waivers and also conditioned upon satisfying the Fire Commissioner's comments. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, BE IT RESOLVED that Resolution #2015-05 is hereby adopted.

Resolution #2015-06 – Docket #2120 - RESOLUTION GRANTING APPROVAL TO LIBERTY PROPERTY, LP FOR CONDITIONAL PRELIMINARY/FINAL SUBDIVISION PROPOSING TO CONSOLIDATE SIX (6) EXISTING SEPARATE ADJACENT PARCELS AND A 41.0349 ACRE RESIDUAL PARCEL (SUBDIVIDED FROM A PARENT TRACT) AND THEREAFTER SUBDIVIDING THE PARCEL INTO THREE (3) RECONFIGURED LOTS – TWO OF WHICH SHALL BE DESIGNATED BUILDING LOTS (LOT 1 AND LOT 2) AND A THIRD LOT (LOT 3) WHICH SHALL NOT BE A BUILDING LOT, BUT SHALL SERVE FOR PROVIDING PUBLIC ROAD RIGHT-OF-WAY AND FOR STORM WATER CONTROLS AND FACILITIES WITH SAID PROPERTY BEING LOCATED ON MILL CREEK ROAD AT ITS INTERSECTION WITH THE ROUTE 222 BY-PASS IN UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA – Scott Stenroos reported that this plan received a conditional preliminary/final subdivision approval including all 13 waivers. However, the Planning Commission did not act on Waiver #10 (regarding the Boundary Road Upgrade Requirement), which was acknowledged by the Board of Supervisors. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, BE IT RESOLVED, Resolution #2015-06 is hereby adopted, with ALL (13) waivers and conditions.

Resolution #2015-07 – Docket # 2137 - RESOLUTION GRANTING APPROVAL TO KRE SOUTH WHITEHALL LP FOR CONDITIONAL PRELIMINARY LAND DEVELOPMENT PLANS PROPOSING A PORTION OF A 27,000 SQUARE FOOT SHOPPING PLAZA, CERTAIN PARKING SPACES DESIGNATED FOR APARTMENT UNITS IN SOUTH WHITEHALL TOWNSHIP AND STORMWATER MANAGEMENT BASIN (BASIN #1 AND BASIN #2) AT A SITE HAVING AN ADDRESS OF 421 CETRONIA ROAD, SOUTH WHITEHALL TOWNSHIP AND UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA – Scott Stenroos reported that this plan received a conditional preliminary land development approval, from the Planning Commission, including all waivers except Waiver #2, which was acknowledged by PC Commissioner Paul McNemar.

Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, BE IT RESOLVED, Resolution #2015-07 is hereby adopted, with Waiver #2 deferred until final plan review.

Resolution #2015-08 – RESOLUTION AUTHORIZING THE UPPER MACUNGIE TOWNSHIP BOARD OF SUPERVISORS TO PROCESS VARIOUS GRANT APPLICATIONS WITH THE PENNSYLVANIA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES AND TO EXECUTE THE GRANT AGREEMENT SIGNATURE PAGES INCLUDED IN THE GRANT APPLICATIONS OF EACH GRANT. - Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2015-08 is hereby adopted.

Resolution #2015-09 – RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPLY FOR A PERMIT TO INSTALL A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF CETRONIA ROAD (SR-3008) AND SCHANTZ ROAD SOUTH, UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2015-09 is hereby adopted.

Resolution #2015-10 – RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPLY FOR A PERMIT TO MODIFY AN EXISTING TRAFFIC SIGNAL AT THE INTERSECTION OF CETRONIA ROAD (SR-3008) AND SCHANTZ ROAD NORTH, UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2015-10 is hereby adopted.

Resolution #2015-11 – RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPLY FOR A PERMIT TO MODIFY AN EXISTING TRAFFIC SIGNAL AT THE INTERSECTION OF SR 100 AND WEILERS ROAD (SR 3017)/SCHAEFER RUN ROAD (T-478), UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2015-11 is hereby adopted.

MOTIONS

Appointment of Maillie, LLP, Certified Public Accountants, for Township Auditors – Manager Olpere reported that the appointment of Maillie, LLP, has been duly advertised and is ready for action. This accounting firm will be conducting a Governmental Accounting Standards Board (GASB) audit, which is over and above the required Department of Community and Economic Development audit. Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, Maillie, LLP is appointed as the Township Certified Public Accountant auditors.

New Employee, Lynn Pigiocampi, Recreation & Events Coordinator – Motion is needed to confirm the employment of this new employee. Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, Lynn Pigiocampi is the new Township Recreation & Events Coordinator.

Retirement of K-9 Pako and Authorization of Acquisition of a New K-9 – Chief Colón requested that UMTPD K-9 Pako, who sustained a debilitating spinal injury during training, be retired and that he be given authorization to obtain a new K-9. After much discussion and praise for both Pako, and his handler, Officer Ryan Rhoads, a motion was made by Secretary Rader that Pako be retired and spend the rest of his life with Officer Rhoads; and, that Chief Colón and Officer Rhoads work together to obtain a new K-9 for Officer Rhoads, to replace the service of Pako. The motion was seconded by Chairman Brunell and unanimous.

Bike Paths on Hamilton Boulevard – Secretary Rader reported that Upper Macungie Township joined with Lower Macungie Township and LANTA for a grant to do a corridor study along Hamilton Boulevard. One of the objectives of the study is connecting the communities with sidewalks and bike lanes. This summer PennDOT has plans to “mill and overlay” Hamilton Boulevard. If bike lanes are proposed, it needs to be decided, now, to be part of the planning. For the survey work, permit costs, striping and signs, the cost for Upper Macungie Township is approximately \$23,000. Manager Olpere stated that money could be taken out of the Recreation Capital Fund for this project. Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, the bike paths were hereby approved.

Verizon Lease – Verizon proposes to install a communication tower on a leased portion of Upper Macungie Township property. Through negotiations Verizon has agreed to put a twenty foot extension on the tower to accommodate antennae for our emergency services. The lease will yield a minimum of approximately \$20,000 of income, per year, for the Township. Solicitor Schantz has reviewed the lease. Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, the Verizon Lease is hereby approved.

Sale of Tar Kettle & Backhoe – Director of Public Works Faust previously placed the tar kettle and backhoe on Municipalbid.com for sale. Faust recommends that the Board accept the two high bids. Tar Kettle - \$10,500 from David Randazzo; Backhoe - \$40,000 from South Fayette Township. Upon a motion by VC Gill, seconded by Chairman Brunell, and unanimous the bids are hereby accepted.

DISCUSSIONS & UPDATES – None

REPORTS

Treasurer's Report – January – Total bills from all funds \$1,237,902.46

A motion was made by Chairman Brunell, seconded by VC Gill and unanimous to pay the bills.

Recreation Board Report – The Recreation Passport listing coming events is on the table for distribution. VC Gill announced the dates for 2015 Movies in the Park: Friday June 19th, "Night At The Museum III Secret of the Tomb", at Lone Lane Park; Saturday, July 11th, "The Penguins of Madagascar", at Breinigsville Park; and Friday, August 7th, "The Maze Runner", at Grange Road Park. Pre-Movie Activities Start at 7:00 PM.

Planning Commission Report – Scott Stenroos reported the following from the January Planning Commission meeting:

- Docket # 2141- Proposed Clean Energy Facility – more information is needed, use is subject to a Conditional Use Review.
- Docket #2147 – Boston Beer Company – received conditional preliminary approval with 4 of 5 waivers, will be before the Board of Supervisors in future.
- Docket #2166 – Tilghman Street Retail Improvements – No Action Taken
- Docket #2148 – National Freight, Inc. – Tabled – Conditional Use Review may be needed.

Upper Macungie Township Police Report – Chief Colón

697	Total Calls for Service
32	Reportable MVAs
63	Non-Reportable MVAs
19	Criminal Arrest (Misdemeanor/Felony)
12	Non-Traffic Citations (summary)
282	Traffic Citations
28	Parking Tickets
36	Written Warnings
69	False Alarms
3	Assaults
1	Burglaries
1	Disturbing the Peace Crimes
4	Drug/Alcohol Violations
12	DUI Offenses
4	Fraud Crimes
8	Thefts
4	Vandalism/Criminal Mischief
4	Vehicle Break-in/Theft

Chief Colón cautioned everyone when winter driving. Also, spoke of K-9 arrests and the valuable asset the K-9 are to the police department.

Fire/EMS Report – Fire Commissioner Grim reported: Fire Inspections - 64. Emergency responses: Station 8-- 26; Station 25 – 35; Station 56 - 24; Total 85 responses for 59 incidents. EMS Responses: Priority 1 - 92; Priority 2 – 50; Priority 3 – 85; Mutual Aid Required -2; Total – 227. Commissioner Grim reported that the training is scheduled for the new fire truck for Station 8. Fire Company Captain Paul McNemar is in charge of getting the truck reading for service, which should be by the end of this month.

Public Works Report - Director Scott Faust – Copy of his report is on the back table. Salt supply is keeping up with the winter storms. DPW Faust is continuing to get prices for the ground floor renovations at Independent Park.

Zoning Report – Copies of the report are available on the table in the rear of the room. Chairman Brunell also reported the upcoming Zoning Hearing Board Appeals.

During the month of January, 50 permits were issued, including:

Building Permits:

Commercial Permits:

Accessory:	1
Alterations:	3
Life Safety:	2
Roofing:	1
Plumbing:	1
Demo:	1

Residential Permits:

Alterations:	1
Basement Renovations:	8
New Construction:	22
Demo:	1
Electrical:	3
Mechanical:	3
Plumbing:	3

Zoning Permits:

Sign Permits:	1
Change of Use:	1

Licenses:

Plumbing:	9
Electric:	10

January 2015 Zoning Hearing Board Meetings:

On **January 15th, 2015**, the Zoning Hearing Board heard The Zoning Appeal of **Above & Beyond, Inc., 5844 Daniel Street, 5846 Daniel Street and 5757 Cetronia Road, Allentown, PA 18106 (Appeal #01 15 001)**; for a variance from the requirements of the Upper Macungie Township Zoning Ordinance **Section § 27-306.B.** to permit construction of Underground Injection Wells as an Accessory Use. The properties are located along Daniel Street near the intersection of Sabrina Circle and along Cetronia Road approximately one-thousand (1,000) feet west of Daniel Street and are situated in the R2 – Low Density Residential Zoning District. **The Zoning Hearing Board granted a continuance of the hearing until March 11th, 2015**

On **January 28th, 2015** the Zoning Hearing Board met to hear the Continuance of **Zoning Appeal #11 14 012, S.A.P. Hotels, 5828 Memorial Road, Allentown, PA 18104; The Zoning Appeal was formally withdrawn by the Applicant in a letter from Zator Law Offices dated January 28th, 2015;**

February 2015 Zoning Hearing Board Meetings:

On **February 25th, 2015**, The Zoning Appeal of **Dale and Beverly Kochard., 5950 Daniel Street, Allentown, PA 18104; (Appeal # 02 15 002)** will be heard for a variance from the requirements of the Upper Macungie Township Zoning Ordinance **Section § 27-307.B.1.f.(1).** to permit construction of Accessory Structure within the required Front Yard Building Setback. The Applicant also requests that the Board recognize an existing barn located on the property with an attached garage as an existing non-conformity and that it be permitted to be replaced with a new nonconforming accessory structure on this existing 1.19 acre tract. Section § 27-403.D.12.b. states that, accessory buildings on a lot with a lot area of 2 acres or less in a residential district shall meet the following requirements:

- 1) Maximum total floor area of all accessory buildings: 1,000 square feet.
- 2) Maximum of 2 accessory buildings per lot.

The property is located along Daniel Street near the intersection of Wolf Drive and is situated in the R2 – Low Density Residential Zoning District.

Daren J. Martocci, Zoning Officer

Lehigh Tax Collection Committee Report – None

TOWNSHIP MANAGER'S REPORT – DANIEL P. OLPERE – Manager Olpere has begun visiting the volunteer fire companies. The new Parks & Recreation Coordinator, Valerie Brosky's replacement, Lynn Pigliacampi, has been hired. Interviews are in progress for a new UMT Authority Office Manager and public works employee. The eight proposals for the fire study are being reviewed and the decision should be made by next month.

SUPERVISORS

Chairman BRUNELL – Nothing More

Vice Chairman GILL – Nothing More

Secretary RADER – Executive Sessions- January 22, 2015, at 2:00 PM – Personnel Issues
February 5, 2015, at 5:00 PM – Personnel Issues
February 5, 2015, at 6:00 PM – Personnel Issues

Secretary Rader, this date, received a call from a PennDOT representative about a speeding complaint on Memorial Road, between Chapmans Road and Blue Barn Road. They are requesting a letter from the Township to do a speed study. Chief Colón suggested posting the speed trailer in that area. Scott Stenroos and Chief Colón will investigate the need for a study. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, this issue is tabled pending additional information from PennDOT.

PUBLIC COMMENT –

--Atty. Catherine A. Curcio appeared with her client who resides at 5707 Belmont Circle. Said client wishes to remove trees from a Woodland Preservation Area. The Board requested that they produce a plan showing the trees to be removed, with confirmation from an arborist on the condition of the trees and the proposed new landscaping. Atty. Curcio will submit the requested plans to the Zoning Officer.

--Sunny Ghai asked about the progress on the revisions to the Zoning Ordinance, specifically regarding definitions of Trucking Terminal and Warehouse Distribution. The township is looking at all the definitions in the ordinance, as well as other issues, to do a comprehensive revision. Solicitor Schantz explained the process to revise a zoning ordinance and that it could take months, years to complete. Mr. Ghai requested that the definitions be put on the fast track and be revised as soon as possible; also, that his attorney be put on notice of the proposed changes.

--Resident complained to Chief Colón about the snow flying off of the tops of truck trailers.

--Makala Ashmar asked Chief Colón to look into "Jake Brake" violators on Schantz Road.

Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, the meeting is adjourned at 8:36 PM.



Kathy A. Rader, Secretary