

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on July 2, 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; Township Manager, Daniel Olpere; Zoning Officer, Daren Martocci; Engineer, Dean Haas; Solicitor, Andrew V. Schantz, Esq.; Director of Public Works, Scott Faust; UMTA Joseph Bateman; and, UMTPD Sgt. Dathan Schlegel.

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 June 4 and June 23, 2015, would not be read unless there was some objection. Upon a motion by Chairman Brunell, seconded by VC 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 -- 48 -- Resolution approving a contract authorizing the hiring of a collection agency. – RESOLUTION OF THE UPPER MACUNGIE TOWNSHIP BOARD OF SUPERVISORS AUTHORIZING THE UPPER MACUNGIE TOWNSHIP MANAGER OR HIS DESIGNEE TO PROCESS; SIGN AND TAKE ALL REQUIRED ACTIONS WITH RESPECT TO ENTERING INTO A COLLECTION SERVICES AGREEMENT WITH ARCADIA RECOVERY BUREAU, LLC FOR THE COLLECTION OF CERTAIN DELINQUENT TOWNSHIP ACCOUNTS AND TO PROVIDE OTHER ACTS AND SERVICES AS SET FORTH IN THE COLLECTION SERVICES AGREEMENT. This will be at no cost to the Township. Arcadia Recovery Bureau's fees will be added to the amount collected for the Township. **Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2015 – 48 is hereby approved, with a condition that a Township policy/procedure is in place (for collections) and posted on the UMT website.**

MOTIONS

--**Memorial Road Speed Limit Reduction** – Before PennDOT can do the requested speed study on Memorial Road, between Blue Barn and Chapmans Roads, they need written assurance that, if the speed limit is reduced below 40 MPH, the Township will purchase, erect, and maintain the appropriate speed limit signs. Manager Olpere suggested that before the Board makes a decision to make that agreement, the Township police put the speed trailer on Memorial Road to gather speed data. **Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, the UMTPD is instructed to place the speed trailer on Memorial Road to collect data.**

--**Toth Barn – Rear of 1208 Trexlerstown Road** – The Toth's were not present at the meeting. Daren Martocci reported that there has been some progress with removing the barn. Most of the roof sections have been removed; there is a dumpster on the property; however, there is still a safety hazard. The township will need a timeline of the removal and fencing needs to be placed around the structure. **Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, this matter is tabled until the August meeting to give Zoning Officer Martocci time contact the Toth's and learn their intentions.**

--**Reschedule July 13th special meeting regarding the Fire Companies** -- The special meeting regarding the Fire Companies, that is scheduled for July 13th, must be canceled. Some suggested dates to reschedule are July 27th, August 10th and August 11th. Chairman Brunell suggested that Commissioner Grim contact the Fire Companies to set a date.

--**Recreation Board Vacancies** – There are two vacancies on the Recreation Board. The Recreation Board has recommended Brian Kresge and Stephanie Rauch-Mannino for the vacant positions. After some discussion...

Upon a motion by VC Gill, seconded by Secretary Rader and unanimous, Brian Kresge is appointed to fill the unexpired term of Richard Kiser that is due to expire at the end of 2015.

Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, Stephanie Rauch-Mannino is appointed to fill the unexpired term of Sean Gill that is due to expire at the end of 2017.

--Zoning Hearing Board Alternate Position Vacancy -- There is a vacancy of one of the alternate positions on the Zoning Hearing Board. Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, Charles Deprill is appointed to fill the unexpired term of Alternate Nancy Muick that is due to expire at the end of 2016.

DISCUSSIONS & UPDATES --

--Routes 863, 222 & Schantz Road Project -- Secretary Rader reported that the foundations for the lights are poured and all the poles are up, except one on the southeast corner of Farmington Road & Hamilton Boulevard. This pole must be coordinated with the utility company. The lights should be blinking soon. Also, there will be a public meeting on Tuesday, July 21, 2015, at 5:00 PM, at Independent Park, to give the public an update on the project.

--Hamilton Boulevard Corridor Study -- There will be a joint meeting with the Planning Commissions of both Upper Macungie and Lower Macungie Townships on July 13th at 7:00 PM, at the Upper Macungie Township Building.

REPORTS

Treasurer's Report -- JUNE - Total bills from all funds \$1,427,297.13

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

Recreation Board Report -- The Recreation Passport listing coming events is on the table for distribution and on the UMT Website.

Planning Commission Report -- Daren Martocci reported the following from the June Planning Commission meeting:

--Hamilton Boulevard Corridor Study -- Dean Haas discussed potential dates of July 13, 14 and 28 based on emails received from LMT for a joint meeting with LMT Planning Commission. Paul McNemar recommended that typographical errors and grammar be corrected for final version of the study. Otherwise the Planning Commission appeared to be on board with the concept of the study noting that funding may not be available.

--Kokolus Farm Preliminary/Final Minor Subdivision Plan -- The Applicant discussed the various waivers with the PC. The PC recommended to table the plan so that the applicant can clean up the plan for review next month. Waivers were not acted upon by PC.

--Plainfield Development -- Preliminary/Final Land Development Plan -- The Applicant discussed the project scope and some of the engineering comments with the PC. The PC recommended to downgrade the plan to sketch so that comments can be addressed and that the Applicant can clean up the plan for review next month. Waivers were not acted upon by PC.

--Tilghman Street Retail Site (Dunkin Donuts) -- The Planning Commission made a recommendation for conditional Preliminary/Final approval with the following conditions: (1) subject to staff and engineering comments, (2) receipt of DEP tank removal approval letter, (3) LCA review and approval, (4) LCA HOP for water service and (5) waiver granted for 95 hour dewatering time that was approved by LCCD. The Applicant provided a waiver request dated June 17, 2015.

--Liberty at Mill Creek Final Land Development Plan - The Planning Commission made a recommendation for conditional final approval with the following conditions: (1) subject to staff and engineering comments and (2) the PC expressed a preference to have traffic signals installed at both Mill Creek Road and West Grange Road and Cetronia Road and West Grange Road intersections.

Upper Macungie Township Police Report -- Sgt. Dathan Schlegel

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| 775 | Total Calls for Service |
| 22 | Reportable MVAs |
| 60 | Non-Reportable MVAs |
| 16 | Criminal Arrest (Misdemeanor/Felony) |
| 15 | Non-Traffic Citations (summary) |
| 412 | Traffic Citations |
| 26 | Parking Tickets |
| 27 | Written Warnings |
| 111 | False Alarms |
| 4 | Assaults |
| 3 | Disturbing the Peace Crimes |
| 3 | Drug/Alcohol Violations |



- 7 DUI Offenses
- 7 Fraud Crimes
- 6 Thefts
- 4 Vandalism/Criminal Mischief
- 6 Vehicle Break-in/Thefts

The schools had their DARE Graduations. Sgt. Schlegel also reported that K-9, Tone, is almost finished with training and is scheduled to be on patrol by August 10th.

Fire/EMS Report – Secretary Rader gave report: Fire Inspections – 63, Emergency responses: Station 8-47, Station 25 – 35; Station 56 – 55; Total 137 responses. EMS Responses were not available.

Public Works Report – Copy of report is on the back table. Faust reported that the concrete is finished at Grange Road Park and the new pavilion should be finished by Monday, July 6th. Faust also requested permission to go out for bid for gasoline & diesel fuel. **Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, permission is given to out for bid for the fuels.**

Zoning Report – The report of the Zoning Officer for the month of June was received and showed 141 Building and Zoning Permits were issued. (Commercial – 14; Residential – 98; Zoning Permits – 29) 3 Plumbing Licenses and 8 Electric Licenses.

June 2015 Zoning Hearing Board Meetings:

On June 10th, 2015, The Continuance of the Zoning Appeal of Eudes N. De Leon, 6515 Memorial Road, Building A, Allentown, PA 18106; Appeal #05 15 006, was heard for a variance from § 27-306. Table of Permitted Uses by District as a change of Use from Auto Sales to an Auto Repair Garage. The property is located at the intersection of Tilghman Street and Memorial Road near the intersection of Ruppssville Road and is situated in the NC Zoning District.

Action: *The Zoning Hearing Board voted to grant a continuance to the Applicant until July 8th, 2015, to allow for advertisement of the relief that is being sought.*

July 8th, 2015 Zoning Hearing Board Agenda:

#07 15 009 The Zoning Appeal of **Kris Wanamaker, 9677 Haas Hill Road, Breinigsville, PA 18031;** for a variance from **Section §27-603.4.A.(1)(b)** to expand an existing driveway to a width greater than twenty (20) feet at its intersection with Haas Hill Road. The property is located along Haas Hill Road approximately 1,300 feet west of the intersection of Newtown Road and is situated in the R1 Zoning District.

- #05 15 006** Continued Zoning Appeal of **Eudes N. De Leon, 6515 Memorial Road, Building A, Allentown PA 18106;** for variances or recognition of non-conformities as follows:
1. Variance to Upper Macungie Township Zoning Ordinance (PA) § 27-111(C) & § 27-306.2 (2011 as amended) to introduce the non-permitted use of an Auto Repair Garage onto the Subject Property.
 2. Variance to Upper Macungie Township Zoning Ordinance (PA) § 27-801.2 & 801.3 to permit the additional use of an non permitted Auto Repair Garage on the Subject Property along with that of an existing Auto Sales Use.
 3. Request for recognition of the Subject Property's non conformity as to parking setbacks for the outdoor storage of vehicles, exclusive of "junk vehicles" and "unlicensed vehicles" as defined by the Zoning Ordinance, pursuant to Upper Macungie Township Zoning Ordinance (PA) § 27-806.1 and §27-806.2 or in the alternate, request for 1), a variance to the parking setbacks required by Upper Macungie Township Zoning Ordinance (PA) § 27-603.7.C.(3) to permit parking vehicles on all paved areas of the Subject Property to be leased by Applicant and 2) a variance to permit the outdoor storage of vehicles (exclusive of "junk vehicles" and "unlicensed vehicles") within an otherwise required paved setback as required by Upper Macungie Zoning Ordinance Upper Macungie Township Zoning Ordinance (PA) § 27-402.G. (3)
 4. Request for a variance to Upper Macungie Township Zoning Ordinance (PA) § 27-402.G. (5) to store up to a maximum of 12 "junk vehicles" as defined by the Zoning Ordinance outdoors within 20 feet of an existing street right-of-way line.
 5. Request for variance to Upper Macungie Township Zoning Ordinance (PA) § 27-403.4.F.(3)(d) to construct a fence closer than 10 feet to an existing right-of-way line and to construct a fence in a paved area setback required under § 27-603.

The property is located at the intersection of Tilghman Street and Memorial Road near the intersection of Ruppssville Road and is situated in the ~~NC~~ Zoning District.

#07 15 008 The Zoning Appeal of **Tri Outdoor, Inc., 160 Olin Way, Allentown, PA 18106;** for a variance from **§ 27-712.5.D.** To permit the construction of an Off-Premises Sign (Billboard) at a location less than three-thousand (3,000) feet from an existing Off-Premises Sign (Billboard). The property is located on Olin Way at its terminus near Interstate I-78 is situated in the LI Zoning District

July 22nd, 2015 Zoning Hearing Board Agenda:

#07 15 010 The Zoning Appeal of **DNF Properties, LLC, 915 Nursery Street, Fogelsville, PA 18051;** for a variance from **Section § 27-603.7.C.(3)** to construct a parking area for six (6) cars partially within the required twenty-five (25) feet wide Paved Area Setback. The property is located at the intersection of Main Street and Nursery Street and is situated in the NC Zoning District.

#07 15 011 The Zoning Appeal of **Gregory M. Bachl, 5814 Sabrina Circle, Allentown, PA 18104;** for a variance from **Section § 27-403.4.F.(2)** to construct a fence within a Drainage and Planting Screen Easement. The property is located at 5814 Sabrina Circle and is situated in the R2 Zoning District.

#07 15 012 The Zoning Appeal of **Lehigh Valley Health Network, 1431 Nursery Street, Fogelsville, PA 18051;** for six (6) variances from **§ 27-704;**

1. To permit the construction of a Freestanding sign which exceeds the maximum permitted sign area; *(Sign A)*
2. To permit construction of an amount of Freestanding signs which exceed the maximum quantity permitted; *(Sign A)*
3. To permit construction of an amount of Freestanding signs which exceed the maximum quantity permitted; *(Sign B)*
4. To permit the construction of a Freestanding sign which exceeds the maximum permitted sign area; *(Sign B)*
5. To permit the construction of a Wall Signs which exceed the maximum permitted sign area and maximum quantity permitted; *(Signs C & D)*
6. To permit the construction of a Wall Signs at a location on a building which does not face directly onto a street; *(Sign F)*

The property is located at the intersection of Nursery Street and PA Route 100 Southbound and is situated in the NC Zoning District

Lehigh Tax Collection Committee Report – None

TOWNSHIP MANAGER'S REPORT – Manager Olpere congratulated Police Chief Edgardo Colón on his completion of the U. S. Army War College National Security Seminar in Carlisle, Pennsylvania. This seminar allows military students to work with a diverse group of community leaders across the county. Chief Colón was appointed, as one of the community leader participants, by U. S. Senator Pat Toomey and Col. Robert DeSousa, a U.S. Army War College graduate & Officer in the Pennsylvania Army National Guard.

SUPERVISORS

Chairman BRUNELL – Nothing More

Vice Chairman GILL – Nothing More

Secretary RADER – Executive Sessions – Monday, June 8, 2015, at 5:00 PM; Monday, June 15, 2015, at 5:30 PM; and Thursday, July 2, 2015, at 5:45 P.M.; all personnel issues.

Engineer Dean Haas – As a follow up from the meeting of June 23rd, where the Board of Supervisors voted to designate a recreation area, in perpetuity, (as a grant requirement under Section 6(f)(3) of the Land Water Conservation Fund (LWCF) Act of the National Park Service, U.S. Department of the Interior), a new motion is needed for adjustments of the land area. Grange Road Park is made up of seven parcels of land. Two of those parcels were purchased with state and/or county funds and are already designated under the requirements of those grants. Engineer Haas produced a new plan that shows a different shaded area, to be designated as areas restricted for the use in perpetuity for recreation under provisions regulated under 6(f)3 of the LWCF that will include the projects for this grant requirement. This area includes lands currently used for recreation and the areas of roadways which provide access and parking for these recreation uses. Other adjoining residual parcels were purchased and reserved by the Township for a new Municipal Complex. **Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, the lands shown as sections A & B, on the new plan, Job No. UMT97-001-1, sheet 1 of 2, dated February 1, 2008 and last revised July 2, 2015, are hereby designated as recreation land in perpetuity.**

PUBLIC COMMENT – None

Upon a motion by Secretary Rader, seconded by Chairman Brunell, and unanimous, the meeting is adjourned at 7:42 P.M.



Kathy A. Rader, Secretary