

**BOARD OF SUPERVISORS**

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on October 1, 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; Township Engineer, Dean Haas; Zoning Officer, Daren Martocci, Solicitor, Andrew V. Schantz, Esq., Director of Public Works, Scott Faust; Finance Director, Bruce Koller; UMT Authority Manager, Joseph Bateman, Fire Commissioner, Grant Grim; and, Chief of Police, 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 September 3<sup>rd</sup> and 21<sup>st</sup>, 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** – **NFI Real Estate, LLC** – Atty. Erich J. Schock, Michael Landsburg, and Harold "Bud" Newton from Newton Engineering Group, appearing for NFI. Atty. Schock presented a proposed plan for a warehouse on the NW corner of Nestle Way and Oldt Road. A previously recorded plan, from 1993, contained a note stating that with any development on that lot, the driveway must be on Oldt Road, not Nestle Way. This proposed plan is showing a warehouse. NFI is of the opinion that it would be preferable that the driveway for tractor-trailer use be on Nestle Way, not Oldt Road by the residential area. Before NFI moves forward with their plan, they are requesting the opinion of the Board of Supervisors regarding the placement of the driveway. After some discussion, the Board agreed that the proposed driveway on Nestle Way would be preferred, as long as the driveway and plan meets conditions of the review of the Planning Commission and Township staff.

**ORDINANCES** – The following ordinances have been advertised and are ready for adoption:

**\*Ordinance #2015-06** – AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC), PART 2 (TRAFFIC REGULATIONS) OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE PROHIBITING NO TRUCK TRAFFIC ON CERTAIN STREETS LOCATED WITHIN UPPER MACUNGIE TOWNSHIP; SAID REQUIREMENTS BEING SET FORTH MORE FULLY IN THE BODY OF THIS ORDINANCE.

**\*Ordinance #2015-07** - AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC), PART 3 (PARKING REGULATIONS) OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE AMENDING PROHIBITED PARKING AREAS ON CERTAIN STREETS LOCATED WITHIN UPPER MACUNGIE TOWNSHIP; SAID REQUIREMENTS BEING SET FORTH MORE FULLY IN THE BODY OF THIS ORDINANCE.

**\*Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, Ordinances 2015-06 and 2015-07 are hereby adopted.**

**RESOLUTIONS** - None**MOTIONS**

**-Boundary Road Upgrade** – Engineer Haas reported that the Boundary Road Upgrade fee is antiquated and needs updating in the Subdivision Land Development Ordinance (SALDO). There are some other "out dated" requirements in the SALDO that applicants are continually requesting waivers. **After some discussion, a motion is made by Chairman Brunell, seconded by Secretary Rader, and unanimous, authorizing the review of the SALDO; and, Atty. Schantz is authorized to prepare an ordinance to adopt the revisions.**

**-Change of Billing System for Sewer and Refuse/Recycling** – UMTA Manager Bateman is requesting action by the Board to change the billing system for sewer and refuse/recycling. These changes will include automated payments; have the sewer and refuse/recycling on one annual bill; institute bar code receipting for the bills; and, explore switching internet payment companies. Bateman believes this will provide a greater number of payment options to the customer; online access to customer accounts; save some of the printing and mailing costs; reduce staff efforts; and collect revenues sooner. **Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, changes to the billing practices are authorized as stated above.**

**-Intergovernmental Agreement for Police Mutual Aid with South Whitehall Township – Chief Colón** reported the need for an intergovernmental agreement with South Whitehall Township for Police Mutual Aid. This would cover any police “overlap” on connecting roads between the two townships and pre-planned events. **Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, authorization is given to Solicitor Schantz to prepare an ordinance giving approval to enter into said police mutual aid agreement with South Whitehall Township.**

**-Request for UMT Fire Police for Macungie Halloween Parade –** A letter has been received requesting assistance from the Fire Police, from all three UMT Fire Companies, for traffic control within the Borough of Macungie, during their Annual Halloween Parade. **Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, UMT Fire Police is permitted to assist Macungie Borough during their Halloween Parade.**

#### DISCUSSIONS & UPDATES –

**-Toth Barn – Rear of 1208 Trexlerstown Road –** Zoning Officer Martocci reported that the barn is now stabilized and can be rebuilt as an existing non-conforming structure, as long as permits are obtained with one year.

#### REPORTS

**Treasurer’s Report – September – Total bills from all funds \$915,511.49**

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. Events planned for October: Barktoberfest, October 10<sup>th</sup>; Geocaching Potluck, October 24<sup>th</sup>; and, 5K Run & 1 Mile Walk for Parks – October 25<sup>th</sup>.

**Planning Commission Report –** Secretary Rader and Zoning Officer Martocci reported the following from the September Planning Commission meeting:

--Docket #2157 – Lehigh Valley West Lot 9B (Marriott) – The applicant was seeking a conditional preliminary/final recommendation from the Planning Commission. However, due to the status of outside agency reviews they pulled from the agenda.

--Docket #2188 – Hale Brake and Wheel - The applicant appeared before the Planning Commission to discuss their current plan and application. The applicant requested to be tabled and will return next month.

Chief Colón presented the Good Neighbor Coalition program to the Planning Commission members at the work session.

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

705	Total Calls for Service
26	Reportable MVAs
55	Non-Reportable MVAs
13	Criminal Arrest (Misdemeanor/Felony)
10	Non-Traffic Citations (summary)
354	Traffic Citations
65	Parking Tickets
34	Written Warnings
94	False Alarms
2	Assaults
1	Burglaries
3	Disturbing the Peace Crimes
4	Drug/Alcohol Violations
8	DUI Offenses
2	Fraud Crimes
2	Motor Vehicle Thefts
9	Thefts
3	Vandalism/Criminal Mischief
7	Vehicle Break-in/Theft

Chief Colón also reported the progress on the Good Neighbor Coalition project.

**Fire/EMS Report –** Commissioner Grim gave report: Fire Inspections - 55. Emergency responses: Station 8-- 47; Station 25 – 42; Station 56 - 58; Total 147 responses for 109 incidents. EMS Responses: Priority 1 – 59; Priority 2 – 46; Priority 3 – 97; Mutual Aid Required – 1; Total 202. Chairman Brunell complimented the Bureau of Fire on their great job with Emergency Preparedness Day.

**Public Works Report** - Director Scott Faust – Copy of his report is on the back table. PWD Faust reported Werley Road opened the night before this meeting. The top coat should still be applied this season. Also, leaf collection to begin the week of October 12<sup>th</sup>.

**Zoning Report** – The report of the Zoning Officer for the month of September was received and showed 123 Building and Zoning Permits were issued. (Commercial – 46; Residential – 47; Zoning Permits – 30) 7 Plumbing Licenses and 10 Electric Licenses.

**September 2015 Zoning Hearing Board Meetings:**

**September 9<sup>th</sup>, 2015 Zoning Hearing Board Agenda:**

**#07 15 008** Continued 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 OffPremises Sign (Billboard). The property is located on Olin Way at its terminus near Interstate I-78 is situated in the LI Zoning District.  
**Action: The Appeal was withdrawn by the Applicant.**

**September 23<sup>rd</sup>, 2015 Zoning Hearing Board Agenda:**

**#10 14 009** Hearing on Reversal and Remand Order dated June 3<sup>rd</sup>, 2015 related to the Zoning Appeal of Old Dominion Freight Line, Inc. c/o Jessica Gentile, North Star Construction, 6975 Ambassador Drive, Allentown PA 18106.

**Action: The Board voted, by Remand to accept the withdrawal of the Application.**

**#09 15 017** The Zoning Appeal of **Richard J. & Peggy Ann Karpeuk, 6939 Ruppsville Road, Allentown, PA 18106;** for an interpretation of **Section §27-403.3.** as it relates to **Section §27-202. Terms Defined,** specifically, **“Yard, Front”** and alternatively a variance from **Section § 27-403.3.** to construct an Accessory Structure within the front yard of the property. The property is located along Ruppsville Road west of the intersection of Grange Road and is situated in the LI Zoning District.

**Action: The Board voted to confirm the interpretation of the Zoning Officer of the definition of a Front Yard. The Board also voted to deny the Variance to permit an Accessory Structure within the front yard.**

**October 2015 Zoning Hearing Board Meetings:**

**--No appeals have been received for the October 14<sup>th</sup>, 2015 Zoning Hearing Board Meeting .**

**--The deadline for Applications for the October 28<sup>th</sup>, 2015 Zoning Hearing Board Meeting is October 2<sup>nd</sup>, 2015.**

**Lehigh Tax Collection Committee Report – None**

**TOWNSHIP MANAGER'S REPORT** – Manager Olpere reported that the first budget meeting was held on September 21<sup>st</sup> and budget talks are progressing. The fire study has been completed and has been e-mailed out to the fire companies. The Fire Consultant will be at the October 12<sup>th</sup> Board of Supervisors meeting. The cell tower is up and the wiring is in the process of being completed.

**SUPERVISORS**

**Chairman BRUNELL** – Letter of Resignation from the Planning Commission has been received from Geoffrey Legg, leaving a vacancy. Secretary Rader stated there is one application on file and that if anyone is interested they should complete a volunteer application that is on the back table.

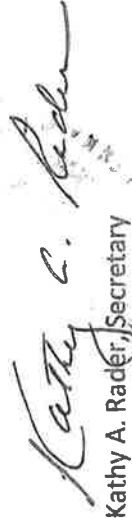
**Vice Chairman GILL** – Nothing More

**Secretary RADER** – Executive Session – Tuesday, September 15, 2015, at 4:55 PM – personnel & litigation issues; Monday, September 21, 2015, at 5:50 PM and 9:30 PM, both personnel issues.

**PUBLIC COMMENT** –

--Jim Caffrey is building a house at the corner of Oldt Road and McBride Lane. He stated that he would like to go on the record that he is in agreement with the proposed plan, to go on the north side of Oldt Road and west of Nestle Way, which includes one warehouse and residential apartments.

Upon a motion by Chairman Brunell, seconded by VC Gill, and unanimous, the meeting is adjourned at 7:50 PM.

  
Kathy A. Rader, Secretary