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BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on August 6, 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, Scott Stenroos; Solicitor, Andrew V. Schantz, Esq.; Director of Public Works, Scott Faust; UMTA Joseph Bateman; Finance Director, Bruce Koller; and, UMTPD 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 meeting of July 2, 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 meeting and approve the minutes as presented.

PUBLIC COMMENTS -- None

PRESENTATIONS / COURTESY OF THE FLOOR -- None

ORDINANCES - None

RESOLUTIONS

Resolution #2015-49 -- Hamilton Boulevard & Air Products Drive/Trexlerstown Shopping Center--TE-160 -- RESOLUTION GRANTING AUTHORIZATION FOR CERTAIN TOWNSHIP REPRESENTATIVES TO EXECUTE AND SUBMIT A CERTAIN APPLICATION FOR TRAFFIC SIGNAL APPROVAL TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION - **Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, BE IT RESOLVED, Resolution #2015-49 is hereby approved.**

Resolution #2015-50 -- Grange Road Park Grant -- Pedestrian Improvements, Tennis Courts & Concession Stand/Restroom -- RESOLUTION AUTHORIZING THE UPPER MACUNGIE TOWNSHIP BOARD OF SUPERVISORS TO PROCESS A GREENWAYS, TRAILS AND RECREATION PROGRAM GRANT APPLICATION WITH THE PENNSYLVANIA COMMONWEALTH FINANCING AGENCY AND TO DESIGNATE OFFICIALS TO EXECUTE ALL DOCUMENTS AND AGREEMENTS BETWEEN THE TOWNSHIP AND THE COMMONWEALTH OF PENNSYLVANIA FINANCING AUTHORITY. **Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2015-50 is hereby approved.**

Resolution #2015-51 -- Mobile Band Stage/Trailer -- A RESOLUTION OF UPPER MACUNGIE TOWNSHIP TO COMPLETE, EXECUTE, AND PROCESS AN APPLICATION OR SIMILAR FORM REQUESTING THAT LEHIGH COUNTY AUTHORIZE THAT A GRANT PREVIOUSLY AWARDED JOINTLY TO UPPER MACUNGIE TOWNSHIP AND SOUTH WHITEHALL TOWNSHIP THROUGH THE LEHIGH COUNTY REVITALIZATION GRANT PROGRAM BE AMENDED TO ALLOW FOR A CHANGE IN THE PROJECT FROM A MOBILE COMMAND CENTER TO A MOBILE BAND SHELL. **Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, BE IT RESOLVED, Resolution #2015-51 is hereby approved.**

Resolution #2015-52 -- Docket #1884 -- Schaeffer Run Commons (Revision of Resolution #2015-36) -- RESOLUTION AMENDING AND CLARIFYING CERTAIN PROVISIONS OF PREVIOUSLY ADOPTED RESOLUTION NO. 2015-36 AS WELL AS REAFFIRMING AND RATIFYING CERTAIN PROVISIONS OF PREVIOUSLY ADOPTED RESOLUTIONS NO. 2005-12 AND NO. 2005-53 BY ADDRESSING ITEMS THAT WERE PREVIOUSLY APPROVED IN RESOLUTIONS NO. 2005-12 AND NO. 2005-53 YET WERE NOTED AS ITEMS NEEDING APPROVAL IN RESOLUTION NO. 2015-36 WITH ALL SAID RESOLUTIONS RELATING TO APPROVALS TO JAINDL LAND COMPANY AND ITS SUBDIVISION/LAND DEVELOPMENT LOCATED AT 1409 WEILERS ROAD, KNOWN AS SCHAEFFER RUN COMMONS. **Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2015-52 is hereby approved.**

MOTIONS

--**Hiring of Jessica Khouri to replace retiring Patricia Smith** -- Manager Olpere reported that interviews have been completed and Jessica Khouri has been chosen to replace Pat Smith. The hourly rate is \$18.75. **Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, motion to hire Jessica Khouri, at \$18.75 per hour, is passed.**

--**Toth Barn** -- Rear of 1208 Trexlerstown Road -- Mrs. Doris Toth (property owner) and her son Anthony appearing. Some of the barn has been removed. Plans are to rehabilitate the barn and to have it under roof by winter. **A motion to table this issue and revisit at the October meeting was made by Secretary Rader, seconded by Chairman Brunell and unanimous.**

- Bid Awarding – Mainline CIPP Lining Project** – This project was bid with Lower Macungie Township. Five bids have been received for this project: Insituform Technologies, LLC - \$212,317.50; Allstate Power-Vac, Inc. - \$225,885.00; Aqua Infrastructure Rehab. Co, LLC - \$240,520.00; IPR Northeast - \$279,777.50; AM-Liner East, Inc. - \$290,985.00. **Upon a motion by Chairman Brunell, seconded by VC Gill and unanimous, the award is given to the low bidder, Insituform Technologies, LLC for \$212,317.50.**
- BID Awarding – Morris Court Rehabilitation Project** – Two bids were received for this project: E.J. Breneman, LP - \$280,352.80 and Recon Construction Services, Inc. - \$295,727.70. Director of Public Works Faust stated that the bids came in significantly higher than expected. **After some discussion, a motion to reject the bids was made by Chairman Brunell, seconded by VC Gill, and unanimous.**
- Bid Awarding – 2015 High Performance Chip Seal/Quick Set Fog Seal Project** – Only one bid has been received: Asphalt Maintenance Solutions, LLC - \$172,072.00. **Motion to accept the bid was made by Secretary Rader, seconded by Chairman Brunell, and unanimous.**
- Werley Road Closing** – Scott Stenroos reported that re-construction and widening of Werley Road is scheduled to begin on August 17th and be completed around September 30th. After much discussion, a motion was made by Chairman Brunell to allow the developer to close the road with the caveat that 1) liquid damages be included in an executed agreement; 2) the consent of Parkland School District; 3) provisions for removal or replacement of any traffic control devices to facilitate detour and accommodate large vehicles; 4) provisions to have drums or lights to improve channelization; 5) prepare a plan to the satisfaction of KCE and Township Solicitor; 6) to encourage construction vehicles to enter from Tligham Street; 7) provide coordination for mail, garbage and UMT emergency services; and, 8) all to the satisfaction of the Township Solicitor and Engineer. Motion was seconded by VC Gill and unanimous.
- Permit Waiver for Valley Preferred Cycling Center Fireworks** – The Valley Preferred Cycling Center (The Velodrome) in Trexlertown is celebrating its 40th anniversary this year and fireworks is proposed as part of the celebration. A letter has been received requesting that the permit fee of \$150.00 be waived. A permit is still required with insurance naming the Township as additional insured. **The motion to waive the fee was made by Chairman Brunell, seconded by VC Gill and unanimous.**
- Proposed I-78 Interchange in the area of Adams Road**
--Approval of “Request for Proposal” (RFP) for a Point of Access Study
--Consortium Security Agreement
A motion was made by Chairman Brunell, seconded by VC Gill and unanimous to authorize Keystone Consulting Engineers, Inc., to move forward with the RFP with the condition that the Consortium Security Agreement is in place, with escrows, prior to the awarding.
- Kuhns Drive Parking Restrictions** – It has been requested that Kuhns Drive be made a “no parking” zone. **After some discussion, a motion is made by Chairman Brunell, seconded by VC Gill and unanimous to move forward with “no parking” on Kuhns Drive.**
- Truck Restriction for Farm Bureau Road, Memorial Road, Hilltop Road, Hickory Lane and Mill Road** – Scott Stenroos explained the reasons for the restrictions. Some being: roads are not built for trucks, roads are too narrow at spots; and, steep grades. **Upon a motion made by Chairman Brunell, seconded by Secretary Rader, and unanimous, Solicitor Schantz is authorized to prepare an ordinance for the restrictions.**
- Transportation Service Area No. 4 Closeout Letter** – Scott Stenroos reported that all improvements have been completed within Service Area #4. At this time the Board of Supervisors should reimburse it's boundary road fund for the balance of the TSA #4 account which is approximately \$37,300.00, including interest. **A motion was made by Secretary Rader to reimburse the boundary road fund and close out the account. Motion was seconded by Chairman Brunell and unanimous.**
- *-Goodwill Fire Company #1 Trexlertown Fire Police (A Night in the Country)** – Letters have been received from the Northwestern Recreation Commission and Heidelberg Township requesting the assistance of the fire police from Station 25 (Trexlertown) for traffic control during their event, “A Night in the Country” on August 15th, with the rain date August 16th.
- *-UMT Fire Police (Wheels of Time Parade & Emmaus Halloween Parade)** – A letter has been received from Emmaus Chief of Police, David A. Faust, requesting the assistance of UMT fire police for traffic control for the Wheels of Time Parade caravan on August 28th, and the Emmaus Halloween Parade on October 17th.

*Upon a motion by Chairman Brunell, seconded by Secretary Rader and unanimous, the requests for assistance of the Upper Macungie Fire Police are granted.

--Commercial Use of UMT Parks – After much discussion regarding commercial use of the parks, liability, park rules and regulations, it was decided to refer this matter to the Recreation Board for a recommendation to the Board of Supervisors.

DISCUSSIONS & UPDATES – Lone Lane Park Playground Ranked #5 in Pennsylvania - Secretary Rader announced, according to an online article on www.onlininyourstate.com, Lone Lane Park has been ranked #5 as one of the 10 Amazing Playgrounds in Pennsylvania That Will Make You Feel Like a Kid Again. Special thanks was given to Keystone Engineers, UMT Public Works and the UMT Recreation Board for their work.

REPORTS

Treasurer's Report – JULY - Total bills from all funds \$1,174,833.00. All three Supervisors abstained from paying their own reimbursement of \$697.58 for PSATS conference expenses. 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. VC Gill mentioned that the new appointees to the Recreation Board are doing quite well. There were approximately 100 sign-ups for the Tennis Program and about 18 people for Family Fishing. Up-coming events were also announced.

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

-Docket #2179 - 6748 Ruppville Road, Proposed Apartment Development - – Sketch Plan for proposed 52 unit Apartment development located on the northeast corner of Schantz Road and Ruppville Road. Much discussion by the PC, applicant and audience which mainly consisted of nearby residents. Concerns discussed were access, buffers, storm water and traffic. No action required.

-Docket #2173 - NFI Real Estate, LLC, Lehigh Valley West Industrial Park, Lots 5, 7, 8,9,10 and 11 – Land Development Plan - Sketch Plan for warehouse development with associated parking lots and trailer parking located on the north side of Oldt Road. Much discussion by the PC, applicant and audience which mainly consisted of nearby residents. Concerns discussed included traffic, trucks, noise, storm water, fire access and traffic queuing on Nestle Way. No action required.

Upper Macungie Township Police Report – Chief Edgardo Colón

800	Total Calls for Service
25	Reportable MVAs
39	Non-Reportable MVAs
14	Criminal Arrest (Misdemeanor/Felony)
9	Non-Traffic Citations (summary)
617	Traffic Citations
24	Parking Tickets
31	Written Warnings
99	False Alarms
1	Assaults
1	Burglaries
2	Disturbing the Peace Crimes
3	Drug/Alcohol Violations
8	DUI Offenses
9	Fraud Crimes
1	Robbery
13	Thefts
5	Vandalism/Criminal Mischief
3	Vehicle Break-in/Thefts

Chief Colón reported an outstanding “National Night Out” – largest of three years. About 28 used coats were collected and donated to the “One Warm Coat” program; and, approximately 30 unclaimed bicycles were donated to Community Bike Works. K-9 Toon is trained and on active duty. There was a

bank robbery in Trexlertown and the suspect was apprehended. In August, the Chief will have the first meeting of a "Good Neighbor Coalition" for truck and traffic issues.

Fire/EMS Report – Chairman Brunell gave report: Fire Inspections – 71, Emergency responses: Station 8 – 36; Station 25 – 30; Station 56 – 44; Total 110 responses for 100 incidents. EMS Responses: Priority 1 – 99; Priority 2 – 77; Priority 3 – 91; Mutual Aid Required – 1; Total 268.

Public Works Report – Copy of report is on the back table. Faust reported that the new pavilion at Grange Road Park is finished, except for the electrical work.

Zoning Report – The report of the Zoning Officer for the month of June was received and showed 169 Building and Zoning Permits were issued. (Commercial – 37; Residential – 100; Zoning Permits – 32) 1 Plumbing License and 6 Electric Licenses.

July 2015 Zoning Hearing Board Meetings:

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.

Action: *The Zoning Hearing Board voted (4-0) to grant a variance for a driveway greater than twenty (20) feet wide.*

#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 a 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 Ruppsville Road and is situated in the NC Zoning District.

Action: *The Zoning Hearing Board voted 5-0 (with an Alternate Member vote) to deny all five variance requests.*

#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

Action: *The Zoning Hearing Board voted 4-0 to grant a continuance to the Applicant until September 9th, 2015.*

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.

Action: *The Zoning Hearing Board voted (4-1) to grant the Paved Area Setback variance.*

#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.

Action: *The Zoning Hearing Board voted (4-1) to grant a variance to construct a fence in a Drainage and Planting Screen Easement.*

#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

Action: *The Zoning Hearing Board voted 4-0 to grant a continuance to the Applicant until August 26, 2015.*

August 2015 Zoning Hearing Board Meetings:

August 12th, 2015 Zoning Hearing Board Agenda:

#08 15 013 The Zoning Appeal of **Joshua F. Grim, 9660, 9875, 9939 & 9941 Schantz Road, Breinigsville, PA 18031;** for variances from **Section § 27-704.1.** to construct four (4) free standing signs, each containing thirty-two (32) square feet of sign area which exceeds the allowable twenty (20) square feet of sign area, per sign. The properties are located along Schantz Road south of the intersection of Tillage and Adams Roads and are situated in the R1 Zoning District.

#08 15 014 The Zoning Appeal of **Denise Yuppa, 1316 Buck Hill Lane, Breinigsville, PA 18031;** for a variance from **Section § 27-403.4.F.(2)** to construct a fence within a Drainage Easement. The property is located at the intersection of Buck Hill and Sleepy Hollow Lanes and is situated in the R2 Zoning District.

#08 15 015 The Special Exception Request of **Carol Weisberg, 1217 Trexliertown Road, Trexliertown, PA 18087;** to change the use of an existing legal non-conforming use of an Insurance Company Office to another legal non-conforming use of Personal Services, specifically to a Haircutting/Hairstyling salon as required by **Section §27-306. (Table of Permitted Used by District)** and to further to expand the existing non-conforming non-residential use subject to the requirements of **Section §27-806.7.** The property is located along Trexliertown Road approximately four-hundred (400) feet south of the intersection of Brandywine Circle and is-situated in the R3 Zoning District.

August 26th, 2015 Zoning Hearing Board Agenda:

#07 15 012 Continued Zoning Appeal of **Lehigh Valley Health Network, 1431 Nursery Street, Fogelsville, PA 18051**; for four (4) 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 the construction of a Wall Signs which exceed the maximum permitted sign area and maximum quantity permitted; *(Signs C & D)*
4. 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.

#08 15 016 The Zoning Appeal of **Mary Hamlen, 9637 Viceroy Lane, Breinigsville, PA 18031**; for a variance from **Section § 27-403.4.F.(2)** to construct a fence within a Drainage Easement.

Lehigh Tax Collection Committee Report – None

TOWNSHIP MANAGER'S REPORT – Manager Olpere announced that there is a Mechanic position open. The 2016 budget preparation has begun and a preliminary draft should be to the Board sometime in September.

SUPERVISORS

Chairman BRUNELL – Introduced UMT's new Finance Director/Treasurer, Bruce Koller

Vice Chairman GILL – Announced that at a visit to a local business, he was told that Fire Inspector Keith Richard was thorough, helpful, and that they appreciated his help.

Secretary RADER – Executive Sessions – Thursday, July 9, 2015, at 5:30 PM; Friday, July 10, 2015, at 2:15 PM; Thursday, July 16, 2015, at 4:00 PM; and Wednesday, August 5, 2015, at 5:00 PM., all personnel issues.

PUBLIC COMMENT –

--Peg Konnich – Reported that on July 16th, night lanterns were released into the sky from Independent Park and some came down on her property.

--Shohn Montano – Reported that the Amazon gate, that is only to be opened during their high season, has been open for a while. Scott Stenroos will look into this matter.

--Charles Deprill – Reported that RCN is still working in Green Hills and, in some areas, is digging outside of the right-of-way and on private property. Daren Martocci will look into this matter.

Upon a motion by Secretary Rader, seconded by Chairman Brunell, and unanimous, the meeting is adjourned at 9:51 P.M.



Kathy A. Rader, Secretary