

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on May 5, 2016, 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, Scott Pastorski; Zoning Officer/Director of Community Development, Daren Martocci; Solicitor, Andrew V. Schantz, Esq.; Finance Director, Bruce Koller; Director of Public Works, Scott Faust; Sewer Department Manager, Robert Ibach; 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 April 7th and April 11th, 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.**

ORDINANCE -- None

RESOLUTIONS

Resolution #2016-20 -- Docket #2207 -- 390 Daniel Street, Revised Minor Subdivision Plan -- RESOLUTION GRANTING PRELIMINARY/FINAL PLAN APPROVAL TO LUIGI AND DIANA LOCHIATTO FOR THE APPROVAL OF A PREVIOUSLY APPROVED LOT TO BE CONVERTED FROM A NON-BUILDING LOT TO A BUILDING LOT LOCATED AT 390 DANIEL STREET IN UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. Upon a motion made by Secretary Rader, seconded by VC Gill, and unanimous, BE IT RESOLVED, Resolution #2016-20 is hereby approved, with waivers, subject to staff and engineering comments as listed in the letter of Keystone Consulting Engineers, Inc., dated May 3, 2016.

Resolution #2016-21 -- Adoption of the New 2016 Safety Manual -- A RESOLUTION OF THE UPPER MACUNGIE TOWNSHIP BOARD OF SUPERVISORS AUTHORIZING AND ADOPTING A SAFETY AND LOSS CONTROL POLICY FOR THE MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA. Upon a motion made by VC Gill, seconded by Chairman Brunell and unanimous, BE IT RESOLVED, Resolution #2016-21 is hereby approved, as recommended by the UMT Safety Committee.

Resolution #2016-22 -- TE 160 -- SR 3012 (Schantz Road) and Nestle Way -- RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPLY FOR A PERMIT TO MODIFY AN EXISTING TRAFFIC SIGNAL AT THE INTERSECTION OF NESTLE WAY AND SR 3012 (SCHANTZ ROAD), UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. Upon a motion made by Chairman Brunell, seconded by VC Gill and unanimous, BE IT RESOLVED, Resolution #2016-22 is hereby approved.

Resolution #2016-23 -- Authorization to sign for Disaster Relief & Emergency Assistance -- RESOLUTION OF THE UPPER MACUNGIE TOWNSHIP BOARD OF SUPERVISORS DESIGNATING AN AUTHORIZED AGENT TO ACT ON BEHALF OF UPPER MACUNGIE TOWNSHIP TO SIGN AND PROCESS ALL DOCUMENTS NECESSARY TO OBTAIN FINANCIAL ASSISTANCE UNDER THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT. Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, BE IT RESOLVED, Resolution #2016-23 is hereby approved, naming Fire Commissioner Grant Grim the authorized agent.

MOTIONS

--2016 Grass Cutting Contract -- The Township has received three bids for the 2016 Grass Cutting Project: Pennsylvania Lawn & Landscape, LLC - \$19,073.25; Lemak Landscaping & Ground Maintenance - \$22,718.75; and, Steven Kuhns - \$26,250.00. **Upon a motion by Secretary Rader, seconded by VC Gill and unanimous, the 2016 Grass Cutting Contract is awarded to the low bidder, Pennsylvania Lawn & Landscape, LLD for \$19,073.25.**

--Good Will Fire Company No. 1 -- Request for Assistance with 100th Anniversary Parade -- The Township has received a letter, dated April 5, 2016, from Dennis J. McCardle, Fire Marshal and 100th Anniversary Parade Committee Chairman for Good Will Fire Company #1, Trexlertown, requesting road closures, some township equipment and personnel for the parade to be held on July 16, 2016, in the area of Trexlertown. A motion was made by Chairman Brunell to assist with the requests as outlined in the letter, with the condition that the Township must receive a certificate of liability insurance, from the fire company, naming the Township as co-insured. The motion was seconded by VC Gill and unanimous.



--**Splash Park: Authorization to Purchase on COSTARS Program** – Permission is requested to use the COSTARS program to purchase and install the new Splash Park for Grange Road Park. The use of COSTARS will be contingent upon any grant regulations associated with the Splash Park. **A motion was made by VC Gill to use COSTARS with the contingency, seconded by Secretary Rader and unanimous.**

--**Splash Park: Rules and Policies** – After some discussion, a motion was made by Chairman Brunell, seconded by Secretary Rader and unanimous to have the draft rules returned to the Recreation Board for further review to be sure that the rules comply with restrictions associated with the grant.

--**Splash Park: Swipe Card Entrance System** – Upon a motion by Secretary Rader, seconded by Chairman Brunell and unanimous, this issued is tabled until a future meeting.

--**Sale of Surplus Equipment** – The following list of surplus equipment was listed on Municibid Online Government Auctions, starting on April 22, 2016 and ending on May 2, 2016.

***2008 Ford F-350 Utility Truck** – Reserve Price \$12,500; High Bid \$16,900
High Bidder – Daniel Tourish, 412 N York Road, Warrington, PA

***2004 72” Lazer Zero Turn Lawn Mower** – Reserve Price \$1,300; High Bid \$2,600
High Bidder – Norman Hoover, 765 Glenwood Drive, Ephrata, PA

***2005 60” Lazer Zero Turn Lawn Mower** – Reserve Price \$1,500; High Bid \$2,350
High Bidder – Brad Stanko, 117 Maple Street, Allentown, PA

***2007 72” John Deere Zero Turn Lawn Mower** – Reserve Price \$1,500; High Bid \$1,875
High Bidder – Mohamed Habib, 1 Marlboro Woods Lane, Kennett Square, PA

***2001 Top Brand Trailer** – Reserve Price \$200; High Bid \$1,061
High Bidder Brian Merkel, 121 Wilt Road, Bechtelsville, PA

***A motion by made by Chairman Brunell to accept the bids and award to the high bidders. Motion was seconded by VC Gill and unanimous.**

REPORTS

Treasurer’s Report – April – Total bills from all funds \$1,002,311.39 – A motion was made by Chairman Brunell, seconded by VC Gill and unanimous to pay the bills.

Recreation Board Report – Nothing to add.

Planning Commission Report – Daren Martocci reported on the April PC Meeting:

On Wednesday, April 20, 2016 The Upper Macungie Township Planning Commission reviewed the following submissions;

Conditional Use Applications:

#2206 DCT Industrial, 7175 Tilghman Street, Conditional Use Application; Proposed warehouse, the project is located at the intersection of Tilghman Street and Mill Road;

#2209 Grim’s Orchard and Family Farms, 9941 Schantz Road, Conditional Use Application; Accessory Use of the existing Agricultural Use to include seasonal events and education, the property is located along Schantz Road near the intersection of Newtown Road;

#2196 67 Werley Road, Apartment Development, Conditional Use Application; Reduction in Required Parking, located along Werley Road south of the Laurel Fields Development;

All three Conditional Use Applications have been found complete and in accordance with the Upper Macungie Township Zoning Ordinance Section § 27-118 and the Pennsylvania Municipalities Planning Code, Section 107. And Article VI Zoning Section 603.(c)(2). Public Hearings have been scheduled for May 16th, 2016 beginning at 7:00 PM for the Planning Commission to receive testimony from the applicants and hear public comment.

Subdivision and Land Development Review:

#2188 Hale Trailer Brake & Wheel, Land Development Plan; Preliminary/Final Plan, The project proposes the construction of a new building, additional driveway entrance, and paving improvements. Proposed is a combination sales office/service building which will support the existing rental service. The facility, in addition to the offices will provide a two bay, drive through service center to prepare

leased trailers for customer pick up. The project is located at 5274 & 5360 Oakview Drive; Docket #2188
received a Conditional Preliminary/Final Recommendation by the Planning Commission.

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#2207 390 Daniel Street, Revised Minor Subdivision Plan, Preliminary/Final, The Minor Subdivision Plan would revise a previously recorded subdivision, "Hopewell Farms" and later "Lot Line Adjustment Plan Lands of Rosemarie Kospiah Trust – William D. Stump & Dori A. Rebich." 390 Daniel Street is currently an unimproved (non-building) lot. This plan would approve the parcel as a building lot for what is shown to be a Single Family Detached Dwelling; **Docket #2207 received a Conditional Preliminary/Final Recommendation by the Planning Commission.**

#2196 67 Werley Road, Apartment Development, Preliminary Plan, The Plan proposes the construction of seven (7) – three (3) story – sixteen (16) unit apartment buildings containing a total of one-hundred and twelve (112) units along Werley Road, just south of the Laurel Fields Townhouse Development. The project also proposes a private clubhouse, swimming pool and six (6) garage buildings. Site access is proposed by two driveways, both of which access Werley Road; **Docket #2196 was tabled by the Commission to allow for the Applicant and Engineer to meet with Township Staff and revise plans based on Staff and Engineer's Comments.**

#2208 Canteen Vending, Land Development, Sketch Plan, The plan proposes the construction of a 6,821.25 square foot building addition which would be built on the west side of the existing 12,500 square foot warehouse, office and distribution building located at the corner of Penn Drive and Olin Way. The project also proposes the expansion of the existing parking lot to the east. The project is located at 7235 Penn Drive; **Docket #2208 was presented as a Sketch Plan, the Commission, Staff and Engineer offered comments. As the plan was submitted as a Sketch, no action was required.**

Upper Macungie Township Police Report – Chief Colón

692	Total Calls for Service
15	Reportable MVAs
31	Non-Reportable MVAs
3	Private Property MVAs
12	Criminal Arrest (Misdemeanor/Felony)
14	Non-Traffic Citations (summary)
477	Traffic Citations
30	Parking Tickets
94	Written Warnings
104	False Alarms
2	Assault
1	Burglaries
2	Disturbing the Peace Crimes
2	Drug/Alcohol Violations
7	DUI Offenses
4	Fraud Crimes
3	Thefts
3	Vandalism/Criminal Mischiefs
5	Vehicle Break-in/Thefts

Chief Colón reported: The Good Neighbor Coalition was presented, yesterday (May 4th) to members of the trucking industry; and, the hiring process for the two new officers is moving forward. He encouraged members of the community to sign on to Nixle and Facebook for access to current information.

Fire/EMS Report – Fire Commissioner Grim gave report: Fire Inspections - 78. Emergency responses: Station 8-- 37; Station 25 -- 46; Station 56 - 60; Total of 143 responses for 107 calls. EMS Responses: Priority 1 – 66; Priority 2 – 71; Priority 3 – 75; Mutual Aid Required – 1; Total 213. Station 8 Fire Chief Jacques Creamer reminded everyone of the 100th Anniversary Community Day Celebration on May 14th, from noon until 5 PM.

Public Works Report – Mulch will be loaded for free on Saturdays and Sundays in May, between the hours of 9:00 AM and 1:00 PM. DPW Faust was asked to look at the condition of guardrails and signs on Farm Bureau Road and Ruppsville Road.

Zoning Report – The report of the Zoning Officer for the month of April was received and showed that 120 Building and Zoning Permits were issued. (Commercial – 15; Residential – 71; Zoning Permits – 34); 5 Plumbing Licenses, 8 Electric Licenses, and 5 Septic Pumper Licenses were issued.

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April 2016 Zoning Hearing Board Meetings:

April 13th, 2016:

#03 16 006 The Zoning Appeal of **Discovery Homes, Inc., 10098 Hamilton Boulevard, Breinigsville, PA 18031**; for a variance of; **Section §27-402.pp.6**. Minimum separation between homes. For an existing non-conforming mobile home park. The property is located along Hamilton Boulevard near the intersection of Terry Hill Drive and is situated in the RU1.5 (Rural 1.5) Zoning District.

The Appeal was continued until May 25th.

#03 16 007 The Zoning Appeal of **TranseEdge, 5344 W. Tilghman Street, Allentown, PA 18104**; for a variance of; **Section §27-704.1**. Maximum Area of Wall Signs in the HC District, other than shopping centers or other multitenant buildings. The property is located along Tilghman Street near the intersection of Werley Road and is situated in the HC (Highway Commercial) Zoning District.

A Variance was granted to permit a wall sign exceeding the minimum area.

April 27th, 2016: No Zoning Hearing Board Meeting

May 2016 Zoning Hearing Board Meetings:

May 11th, 2016: No Zoning Appeal Applications have been received.

May 25th, 2016:

#03 16 006 The Continued Zoning Appeal of **Discovery Homes, Inc., 10098 Hamilton Boulevard, Breinigsville, PA 18031**; for a variance of; **Section §27-402.pp.6**. Minimum separation between homes. For an existing non-conforming mobile home park. The property is located along Hamilton Boulevard near the intersection of Terry Hill Drive and is situated in the RU1.5 (Rural 1.5) Zoning District.

#05 16 008 The Zoning Appeal of **Robert Bennett, 575 Independent Road, Breinigsville, PA 18031**; for a variance of; **Section §27-307.2.A.e**. Minimum Building Setback (for a principal structure), to permit continued construction of a building addition which encroaches upon the required rear building setback line. The property is located at the intersection of Independent Road and Ziegels Church Road and is situated in the RU1.5 (Rural 1.5) Zoning District.

Shohn Montano reported that the Amazon gate needs to be locked. Manager Olpere reported that a letter was sent to Amazon, with no reply. Another letter will be sent.

PRESENTATIONS / COURTESY OF THE FLOOR

--**Property Acquisition – Land Swap** – (Approx. 150 people in attendance) Manager Olpere thanked everyone for coming and stated that everyone will have a chance to comment on the Land Swap topic. The presentation was put together by Township Staff, members of Keystone Consulting Engineers, Inc., and Solicitor, Andrew Schantz. The purpose of gathering data was to consider whether to pursue a swap of land on Oldt Road (zoned Light Industrial (LI), owned by Jaindl Land Company), with a parcel of land on Twin Pond Road and Schantz Road (zoned Open Space Preservation (OSP), owned by the Township). Thus, if the swap would occur, the presently zoned LI land would then be OSP and the presently zoned OSP would be LI.

The presentation explained the history of the zoning of the properties and surrounding area, current traffic concerns and projections, and legal issues involved with “swapping” the land. Olpere also discussed the appraisal that was done for both properties, pros and cons of the “swap,” and how the staff came up with this idea. He also reported that a second appraisal on the Township’s land is in being conducted. After the presentations, Chairman Brunell opened the meeting to Public Comment:

--**Richard Schlauch** – 9263 Schantz Road – questioned the appraisal process and the valuation

--**Stephanie Erwin**, of 8470 Scenic View Drive, spokesperson for most of the group, gave her view in opposition of the swap.

--**Bernice Armbruster** – 511 Twin Ponds Road – trucks & traffic a big problem

--**John Landis**, of Arrowhead Lane, resident of the township for 42 years, also spoke about Exclusionary Zoning and the Fair Share Doctrine and voiced his opposition of the swap. Both Erwin and Landis live in the area of Twin Pond and Schantz Roads.

- Laurie Nyce – 8303 Scenic View Drive – concerns about safety
- Bob Wagstaff – 333 Arrowhead Lane – “all about greed”
- Bob Fahey – 8435 Scenic View Drive – noise associated with warehouses
- Andrea Scott – Arrowhead Lane, with Parents on Adams Road – questioned the proposed Adams Road interchange on I-78 with regard to the traffic concerns at Oldt Road, Nestle Way, and Schantz Road.
- Carol MaDouse – 8914 Breinig Run Circle – traffic concerns
- Gary Siravo – 519 Twin Ponds Road – noise from back-up alarms from trucks and truck traffic on back Roads.
- Aaron Smith – 522 Twin Ponds Road – truck traffic on Twin Pond Road
- Dale Horst – 8486 Scenic View Drive – purchased property because of open space across Schantz Road
- Diana Palmer – 331 Twin Ponds Road – against land swap
- Glenn Vrabel – 8298 Scenic View Drive – in favor of land swap – safety of children playing and people walking – light pollution – noise – no more warehouses
- Bruce Jacobsen – 8438 Scenic View Drive – lied to by realtor when he bought the house – was told small office buildings would be on Oldt Road
- Jodi Sammarco – 9001 Grady Drive – concerns for safety of children
- Kyle Henninger – farms the present OSP land for the Township – does not like to see farmland go away – has concerns regarding the retention pond
- Lisa Barberi – 8446 Scenic View Drive – If land is “swapped” the Jaindl project will be across the street
- Bill Shive – 531 Twin Ponds Road – Jaindl doesn’t care about the residents
- Toney Horst – 8486 Scenic View Drive – “changing zoning would be like going back on your word”
- Bob Scott – 6407 Tupelo Road – Township needs to slow down development
- Lisa Bernfield – 8948 Grady Drive – concerned with the blocking of the intersection
- Cedella Schenck – 464 Wood Lane – concerns about Oldt Road and that the new interchange on I-78 at Adams Road will bring more traffic
- Stephanie Erwin – asked the Board of Supervisors to consider other alternatives

After much discussion, a motion was made by Chairman Brunell to go out for a Request for Proposal (RFP) to update the Township’s Comprehensive Plan and Zoning Ordinance. The motion was seconded by VC Gill and unanimous.

TOWNSHIP MANAGER’S REPORT – Daniel P. Olpere - Nothing More

SUPERVISORS

Chairman BRUNELL – Nothing More

Vice Chairman GILL – Thanked Commissioner Grant Grim for his participation and representation of the Township at the anniversary banquet for the 100th Anniversary of Good Will Fire Company #1, Trexlerstown.

Secretary RADER –

--Executive Sessions: Friday, April 22, 2016, at 5:00 PM – Personnel Issues; Wednesday, May 4, 2016, 4:00 PM – Land Acquisition Issues; and, Thursday, May 5, 2016, 5:00 PM = Personnel Issues & Litigation.

There being no other business, upon a motion by Chairman Brunell, seconded by Secretary Rader, and unanimous, the meeting is adjourned at 10:03 PM.



Kathy A. Rader

Kathy A. Rader, Secretary

Kathy A. Rader