

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING  
FEBRUARY 7, 2013 AT 7:30 P.M.  
REGULAR MEETING MINUTES

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**ATTENDANCE:** Supervisors; Daniel Mohr, Robert Sentner; Manager, Daniel DeLong; Solicitor, Marc Fisher; Secretary/Treasurer, AnnaMarie Zeravsky

Meeting called to order at 7:32 P.M.

Pledge of Allegiance to the flag.

**ANNOUNCEMENTS:**

Supervisor Mohr announced that the meeting is being recorded principally to aid in the preparation of minutes and for such other purposes as the Board sees fit. For that reason, will each person wanting to give any comments during the meeting, please state his or her name for the record and address the Board of Supervisors. There will be a Special Workshop Meeting of the Board of Supervisors of Upper Milford Township on Tuesday, March 12<sup>th</sup>, 2013 at 7:00 p.m. at the Township Building, 5671 Chestnut St, Old Zionsville, PA. The purpose of the meeting will be to update the Emergency Management Operations Plan and for other purposes that the Board deems necessary.

**SPECIAL PRESENTATION:**

Upper Milford Township Insurance Representative Mr. Robert Longley addressed the Board to discuss the insurance industry changes as a result of the Fireman's Cancer Presumption Law. Basically the new law makes any cancer an occupational hazard of fighting fires. Any active fireman who develops any type of cancer within 300 weeks of their last exposure to type one cancer carcinogens would be covered under the Township's Workers Compensation Policy. Because of this new law, all but one insurance company have decided not to provide worker's compensation insurance for fire companies within Pennsylvania. Supervisor Sentner questioned what an active fire man is. Mr. Longley said that the law does not define what an active member is. The Department of Labor and Industry has yet to come up with rates for this. Since the insurance carriers are dropping the coverage, this type of insurance will be funded by the State Workers Insurance Fund. Mr. Longley explained that the "for profit" insurance companies are deleting the fire company classifications off of their policies at renewal time at which point, 994 classifications will be transferred over to the State Workers Insurance Fund. Resident Joyce Moore questioned what the State Insurance Commissioner is doing about this. Mr. Longley explained that the State Insurance Commissioner basically wrote a letter to the Trust stating that they believe this law is not legal.

**PUBLIC INPUT:** -

Resident Phil Casey presented the Board of Supervisors with a handout from the current issue of Public Works. The article was about an alternative to salt brine. He strongly felt that the Supervisors should consider looking into these alternatives. Supervisor Sentner agreed that it is something worth looking into.

**ACCEPTANCE OF MINUTES: -**

January 17, 2013 Workshop and Regular Meeting Minutes

**MOTION:**

Supervisor Sentner made the motion to approve all minutes. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 – Check No.'s 12679 to 12730 in the amount of \$257,222.35

**STREETLIGHT FUND:**

PLGIT XXXX7125 – Check No. 1210 in the amount of \$2,342.08

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer # 2013-04 to 2013-08

Supervisor Sentner asked what Western District Fire Company planned to purchase with their distribution. Supervisor Mohr read a letter from Western District Fire Company President Michael A. Kline, stating that the Western District Fire Company was planning on purchasing a Kovatch KME Predator Panther Rescue Pumper for the sum of \$405,376. Resident James Krippe questioned check number 12729 for \$2,150.76. He wanted to know what the credit card charge was for. He also wanted to know what benefits come with the credit cards and who gets the benefits. Manager DeLong explained that the Township credit cards are standard credit cards with no benefits. Secretary/Treasurer AnnaMarie Zeravsky explained that the bulk of the current month's credit card charge was for park equipment.

**MOTION:**

Supervisor Sentner made the motion to approve the payment of the bills as submitted and to acknowledge bank transfers 2013-04 to 2013-08. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

**OLD BUSINESS: -**

1. Upper Milford Township : Michael Crossley Fulmer Tract Lease Renewal

**MOTION:**

Supervisor Sentner made the motion to approve the lease between Upper Milford Township and Michael Crossley for the Fulmer Tract dated February 7, 2013. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

**SOLICITOR'S REPORT: -**

1. Amendments to Ordinance No. 106 Little Lehigh Creek Stormwater Management (Act 167) Plan

Solicitor Fisher explained that the proposed amendments raised the exemption from the drainage plan preparation provisions of the Little Lehigh Creek Act 167 Stormwater Management Plan from 2,000 to 4,000 square feet of additional impervious coverage. This amendment will put it in sync with all other Stormwater Management Ordinances in the Township. This has been dully and properly advertised and is before the Board for their approval.

**MOTION:**

Supervisor Sentner made the motion to adopt the Amendments to Ordinance 106 Little Lehigh Creek Stormwater Management (Act 167) Plan. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

2. Amendments to Zoning Ordinance No. 126

Solicitor Fisher explained that because these amendments are to the Zoning Ordinance, a public hearing is necessary. The public hearing has been dully and properly advertised. Solicitor Fisher then opened the public hearing and explained that the amendments changed certain definitions in the ordinance so they are not in conflict with other provisions in it. There are dimensional requirements that are amended in each zoning district; the amendments fix the side yard requirements for twins, townhouses, and apartments; the amendments raise the maximum impervious coverage percentage for the commercial districts. He then asked if anyone from the public had any questions. Since there were no questions, Solicitor Fisher then closed the public hearing. This has been dully and properly advertised for adoption and is before the Board for their consideration.

**MOTION:**

Supervisor Sentner made the motion to adopt the amendments to the Upper Milford Township Zoning Ordinance 126. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

3. Ordinance No. 133 Saucon Creek Stormwater Management (Act167) Plan. Replacement of Prior Ordinance No. 59

Solicitor Fisher explained that the proposed ordinance would adopt and implement the Saucon Creek (Act 167) Stormwater Management Ordinance and would repeal prior ordinance number 59. This has been dully and properly advertised for adoption and is before the Board for their consideration.

**MOTION:**

Supervisor Sentner made the motion to adopt Ordinance Number 133, The Saucon Creek Stormwater Management (Act 167) Plan to repeal Prior Ordinance Number 59. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

4. Ordinance No. 134 Designating the Collector of Local Services Tax, Amending Ordinances No. 16 and 16A

Solicitor Fisher explained that the proposed ordinance would amend previous Township Ordinances 16 and 16A. By operations of law the Occupational Privilege Tax was replaced by the Local Services Tax. This proposed ordinance would redefine the term tax collector from the prior ordinance to now mean the tax collector designated by the Board of Supervisors of Upper Milford Township. In all other respects the prior ordinance will remain in effect. This has been duly and properly advertised for adoption and is before the Board for their consideration.

**MOTION:**

Supervisor Sentner made the motion to adopt Ordinance 134 designating the Collector of the Local Services Tax, Amending Ordinance Number 16 and 16A. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

5. Resolution No. 2013-017 Amending the Compensation of the Elected Tax Collector

Solicitor Fisher explained that the proposed resolution amends the compensation of the Elected Tax Collector. Specifically, effective January 1, 2014 the Tax Collector of the Township will no longer be compensated for the collection of the local services tax levied by the Township.

**MOTION:**

Supervisor Sentner made the motion to adopt Resolution Number 2013-017 amending the Compensation of the Elected Tax Collector. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

6. Resolution No. 2013-018 Setting the Elected Tax Collectors Compensation Rate

Solicitor Fisher explained that the proposed resolution sets the rate of the Elected Tax Collector's compensation rate effective January 1, 2014 to 5% for the collection of the Real Estate Tax, as well as for the Street Light and Fire Hydrant Assessments.

**MOTION:**

Supervisor Sentner made the motion to adopt Resolution Number 2013-018 setting the Elected Tax Collectors Compensation Rate. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, and the motion carried.

**NEW BUSINESS:** - None

**DEP MODULES / SEWAGE PLANNING:** - None

**PLANNING COMMISSION – OLD BUSINESS:** - None

**PLANNING COMMISSION – NEW BUSINESS:** - None

**SUBDIVISIONS – IMPROVEMENTS:** - None

**CORRESPONDENCE:** -

1. Vera Cruz Community Association request for Fire Police Services

Supervisor Mohr read a letter from the Vera Cruz Community Association to request the Supervisor's permission to have members of the Fire Police of both fire companies on duty for The Easter Egg Hunt on March 30<sup>th</sup>, 2013, the Homecoming Celebration on August 18, 2013, and the Halloween Parade on October 16, 2013.

**MOTION:**

Supervisor Sentner made the motion to approve all request made by the Vera Cruz Community Association in the letter dated January 28, 2013. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**EXECUTIVE SESSION:** – None

**OTHER ISSUES:** – None

**REPORTS:**

Township Emergency Management Coordinator:

**Bill Stahler** – Not present

Recreation Commission:

**Barry Williams** – None

Supervisors:

**Daniel Mohr** – None

**Robert Sentner** – None

**George DeVault** – Not Present

Township Manager

**Daniel DeLong** –

Manager DeLong stated that Lehigh County Authority is pursuing the installation of Emergency Electric Generations facilities at both the Buss Acres Water System and the Upper Milford Central Water System which is Mink Estates and

Farview Farms. This is to take place this summer and they have started the permitting process.

**ADJOURNMENT:** 8:28 P.M.

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Daniel J. Mohr, Chairman

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Date

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AnnaMarie L. Zeravsky, Secretary/Treasurer