

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
October 1st, 2020 Starting at 7pm
REGULAR MEETING AGENDA

ATTENDANCE: Supervisors: Joyce Moore, Daniel Mohr; Manager Edward Carter; Planning Officer Brian Miller; Solicitor Marc Fisher; Secretary/Treasurer Jessi O'Donald; **Absent:** Supervisor Robert Sentner

Meeting called to order at 7:01 pm.

Pledge of Allegiance to the flag.

ANNOUNCEMENTS:

This meeting is being broadcast over Zoom and the recording will aid in the preparation of minutes and for other such purposes as the Board sees fit. All virtual participants of this meeting have been muted except for the Board of Supervisors and Township Staff.

There was an opportunity to submit public input via email or phone prior to 4 pm this afternoon. For those joining us in person this evening we ask that anyone who would like to speak, state their name and address the Board of Supervisors. We ask that one person speak at a time slowly and clearly to allow those joining us through zoom the ability to hear the proceedings.

PUBLIC INPUT:

Mark Feiertag: Mr. Feiertag asked about the water concerns he brought up prior. He stated he hasn't heard anything from the Township. He mentioned that during last night's storm they had to move vehicles again because of water concerns. He also asked about the baseballs and softballs that have flown onto his property from the neighboring property that have hit his trucks and broken a couple of windows.

-Supervisor Moore asked if the neighbors insurance would pay for the damages. Solicitor Fisher confirmed that the damage concerns are a neighbor concern and Mr. Feiertag would have to take that up with his neighbor.

-Manager Carter informed Mr. Feiertag that Jeffery Ott the Township Engineer was working on a letter that will address the concerns about water. Engineer Ott was hoping to be able to send that out tomorrow or early next week.

Jim Krippe: Mr. Krippe asked about the timing of the traffic light at Buckeye and Chestnut. He feels that with the bridge construction a light timing change would help.

-Manager Carter stated that the light is controlled by PennDOT. Supervisor Moore asked if the Township was still having regular meetings with PennDOT and if the light timing could be discussed. Both Manager Carter and Planning Coordinator Miller said it would be brought up.

Mark Feiertag: Mr. Feiertag asked if he could mention the side of the road issue next to Speedway. There was a pipe put in that area and the edge of the road has sunk. He asked if there was anything that could be done to fix that area. His drivers are concerns about losing tires when they hit it.

ACCEPTANCE OF MINUTES:

Approval of September 17th Regular meeting minutes.

MOTION: Supervisor Mohr made a motion to accept the minutes as presented. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. 19709 to 19750 in the amount of \$129,726.12

HIGWAY AID FUND:

PLGIT XXXX7112 - Check No. 2638 in the amount of \$16,717.93

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. 1356 in the amount of \$47.17

ACKNOWLEDGEMENT OF BANK TRANSFERS:

No Transfers

MOTION: Supervisor Mohr made a motion to pay the bills as read. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor motion carried.

SOLICITOR'S REPORT: - No Report

OLD BUSINESS: None

NEW BUSINESS: None

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS:

- 1.) DeWalt Resource Easement Adjustment
 - a. Letter from Planning Coordinator Brian miller

Mark & Pamela DeWalt have requested an equal land swap adjustment to the Natural Area Conservation Easement Agreement that the Township holds on the property at 5474 Acorn Dr. Emmaus. When I worked with the DeWalts on the agreement and locating the minimal protection area and highest protection area boundary on the property we created a boundary that would allow the DeWalt's room for a future garage/pole building in the minimal protection area as allowed by the agreement. During the permitting process with the township it became evident that while we left plenty of area for the proposed building in the minimal protection area we did not put enough thought into the added impervious area that would be created by the driveway needed to get to the location of the proposed building, and the area needed for stormwater control for the total new impervious area. The DeWalt's are asking to adjust the boundary line between the Minimal Protection area and the Highest Protection area by doing an equal land adjustment of the boundary lines. The adjustment covers about 9,800 sq. ft. of land and would be next to the existing driveway allowing for the new garage to be placed to minimize impervious area, it also puts the proposed building on a much flatter area of the property reducing the amount of disturbed area and grading required. The Conservation Agreement allows for modifications if agreed upon by the property owner and the Easement holder, in this case the property owner has agreed to pay all associated

costs to revise the agreement. For all of the above mentioned reasons I would agree that the equal area adjustment to the protection area boundary is in the best interest of the conservation easement directives for this property. I would also like to review one item in the agreement with the Solicitor dealing with defining reasonable inspection notice to the property owner when the Township exercises its rights to inspect the easement area, and adjust that wording as the Solicitor sees fit, with approval from the property owner. If the Board agrees I would like to work with the Solicitor and the DeWalt's to proceed with the revisions to the agreement and finalize this process.

MOTION: Supervisor Moore made a motion to approve the land easement transfer per Brian Miller's letter dated October 1st, 2020. Supervisor Mohr seconded the motion. Hearing no questions or concerns, all were in favor, motion carried.

2.) Resolution 2020-034 - O&M for 5474 Acorn Dr. –DeWalt

Planning Coordinator Brian Miller explained this was the usual Storm Water Operations and Maintenance agreement for a BMP needed for the additional impervious that the property will have after the construction of the garage.

MOTION: Supervisor made a motion to approve Resolution 2020-034 for the O&M agreement for 5474 Acorn Drive. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

SUBDIVISIONS – IMPROVEMENTS: None

CORRESPONDENCE: None

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report: No Report

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: No Report

Fire Companies: No Report

Emmaus Library: No Report

Recreation Commission: No Report

Supervisors:

Daniel Mohr – Announced that the Vera Cruz Halloween Parade was postponed until 2021. He mentioned that the zoning officer and Manager Carter took care of a complaint from last weekend over at the Vera Cruz School. They are not allowed by their zoning appeal terms and the owners came into compliance quickly.

Robert Sentner – Absent

Joyce Moore – No Report

Township Manager:

Bud Carter – No Report

EXECUTIVE SESSION: - Not Needed

ADJOURNMENT: Meeting was adjourned at 7:21 pm.

Chairperson Joyce Moore

10/15/2020
Date

Secretary Jessi O'Donald