

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING  
JUNE 6, 2013 AT 7:30 P.M.  
REGULAR MEETING MINUTES

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

Meeting called to order at 7:43 P.M.

Pledge of Allegiance to the flag.

**ANNOUNCEMENTS:**

This 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 this meeting, please state his or her name for the record and address the Board of Supervisors.

**PUBLIC INPUT:**

Resident David Lindstrom questioned what the progress is on the Emergency Operations Plan. Manager DeLong explained that it is well on the way of being completed. Mr. Lindstrom also stated that he did have success in calling the state representatives regarding the roadwork done by Penn DOT in front of his house. Penn DOT did come out and fixed the problem. He encourages others to speak up if they have problems because it is possible to get things accomplished, if you just voice your opinions.

**ACCEPTANCE OF MINUTES: -**

May 16, 2013 Workshop and Regular Meeting Minutes

**MOTION:**

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

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's. 12970 to 13022 in the amount of \$147,976.44

**ESCROW FUND:**

PLGIT XXXX7109 – Check No. 108 to 110 in the amount of \$2,083.20

**ACKNOWLEDGEMENT OF BANK TRANSFER:**

Transfer # 2013-19 to 2013-21

**MOTION:**

Supervisor Sentner made the motion to approve the payment of the bills as submitted and bank transfer 2013-19 to 2013-21. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

Resident Phil Casey questioned if when the Board of Supervisors authorizes payments at the meeting, are the bills already paid or will they be paid at a future date. The Supervisors explained that after the meeting, once they approve the bill payment, they then sign the checks to be mailed out the next business day. They also noted that all three signatures are required on the checks.

**OLD BUSINESS: -**

1. 2013 Road Surface Work Bids Award

**MOTION:**

Supervisor Sentner made the motion to award the Roadway Centerline Painting, Bituminous Seal Coat, and Ultra-Thin Friction Course to the low bidders, as noted in the Memo from Manager DeLong, dated June 3, 2013. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

2. Sale of 1969 IR Air Compressor

**MOTION:**

Supervisor Sentner made the motion to award the bid for the 1969 Ingersoll-Rand Air Compressor to the highest bidder, Randall Raser for the amount of six hundred fifty dollars, as noted in the Memo from Manager DeLong, dated June 5, 2013. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**SOLICITOR'S REPORT: -**

1. Ordinance No. 136 Yard Waste Drop-Off Site Use Regulations

The proposed Ordinance No. 136 establishes rules and regulations for the Yard Waste Drop-Off Site. It has been fully and properly advertised and is before the Board for their consideration. Solicitor Fisher noted that there were already rules but with the Ordinance, the rules will be enforceable.

**MOTION:**

Supervisor Sentner made the motion to approve Ordinance No. 136 Yard Waste Drop-Off Site Use Regulation. Supervisor DeVault seconded the motion. Roll Call Vote: Daniel Mohr, Yes; George DeVault, Yes; Robert Sentner, Yes; all were in favor and the motion carried.

**NEW BUSINESS:** - None

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

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

**PLANNING COMMISSION – NEW BUSINESS:** -

1. Borough of Emmaus Zoning Ordinance Amendment (Ord. No. 1098)

Solicitor Fisher stated that The Borough of Emmaus is proposing to create an age qualifying overlay zoning district. Under the Southwest Comp Plan, the Borough of Emmaus is submitting their proposal for review and comment. The Planning Commission did review the proposal who noted their concern with no Zoning Overlay Map being included in the proposal. The Planning Commission's other concern is that the declaration of the age qualification does not specify an age requirement of fifty five years of age. The Borough Solicitor responded to Brian on both concerns explaining that the ordinance did not have a map with it because the ordinance was only the mechanism to create an age qualified zoning overlay district, he also responded to the age qualification concern by saying that the age qualification is not a zoning issue and they do not believe that they can regulate ownership through zoning and feel it is a legal matter governed by the Fair Housing Act.

**MOTION:**

Supervisor Sentner made the motion to direct Brian Miller to send a letter to the Borough of Emmaus expressing the Planning Commissions concerns. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**SUBDIVISIONS – IMPROVEMENTS:** -

1. Time Extension Recommendations

At a meeting held on June 3, 2013 the Planning Commission recommended granting one hundred eight day time extensions for the following applications that are due to expire at the end of June 2013: Goldstein Subdivision, Walnut Street Farm Subdivision, Indian Creek Industrial Park Subdivision, Indian Creek Industrial Park lot #10 Land Development, Stone Ridge Estates Subdivision, Estates at Maple Ridge Subdivision, Mark Feiertag 4885 Raymond Ct Land Development, 4054 Chestnut Street Land Development, Schreiber Circle Subdivision, Schreiber Court Phase II Subdivision, Schreiber Subdivision, Old Zionsville Village Center I & II, Chris Boyko Land Development, 6244 & 6274 Sweetwood Drive Boundary Line Adjustment, Seedway LLC Land Development, and The Fields at Indian Creek Subdivision.

**MOTION:**

Supervisor Sentner made the motion to grant the one hundred eighty day time extension for the following: Goldstein Subdivision, Walnut Street Farm Subdivision, Indian Creek Industrial Park Subdivision, Indian Creek Industrial Park lot #10 Land Development, Stone Ridge Estates Subdivision, Estates at Maple Ridge Subdivision, Mark Feiertag 4885 Raymond Ct Land Development, 4054 Chestnut Street Land Development, Schreiber Circle Subdivision, Schreiber Court Phase II Subdivision, Schreiber Subdivision, Old Zionsville Village Center I & II, Chris Boyko Land Development, 6244 & 6274 Sweetwood

Drive Boundary Line Adjustment, Seedway LLC Land Development, and The Fields at Indian Creek Subdivision. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**CORRESPONDENCE:** -

1. Lara Goodman 4570 Vera Cruz Rd.

Ms. Goodman expressed her concerns to the Board of Supervisors regarding the drainage issue on Mill Road and Vera Cruz Road. Public Works Coordinator Steve Ackerman stated that this work has to be done within the next 3 weeks because the road is being oil and chipped then. A pipe will need to be put in and the shoulder needs to be stabilized. The Supervisors agreed that Public Works will work on the drainage issue within the next 3 weeks and they can go from there.

**EXECUTIVE SESSION:** –

The Board of Supervisors held an executive session from 8:15 PM until 8:52 PM for a personnel issue.

**MOTION:**

Supervisor DeVault made the motion to hire Cody Schmeltzle as a part-time seasonal employee, at a rate of \$9.50. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**OTHER ISSUES:** – None

**REPORTS:**

Emmaus Library:

**Francis Larish** – Francis Larish stated that the Library will be starting the Summer Reading Programs for children, adults, and families. There will be a new program available by the end of June to download magazines. Please check out their website for more information.

Township Emergency Management Coordinator:

**Bill Stahler** – Bill Stahler explained that Ira Shade, the current Deputy Emergency Management Coordinator representing the Upper Milford Western District, has suggested that the Deputy Emergency Management Coordinator position be reassigned to Shawn Schwoyer. Bill Stahler is in agreement with Mr. Shades's recommendation and notified the Board of Supervisors that Shawn Schwoyer will now be the Deputy Emergency Management Coordinator representing the Upper Milford Western District. Mr. Stahler also mentioned that he brought different handouts regarding Emergency Preparedness and hopes that everyone will take a copy. The Lehigh County Emergency Management Meetings will now be held every two months and will vary in location. He will keep the Board up to date with dates and locations. At the request of the

Supervisors, Mr. Stahler agreed to schedule another meeting with the Fire Chiefs to finish up the Emergency Operation Plan.

Recreation Commission:

No Report

Supervisors:

**Daniel Mohr** – None

**Robert Sentner** – Supervisor Sentner stated that there was recently a very productive meeting of the Southwest Comp members. They plan to appoint a few people to a committee for the Southwest Comp Plan in the near future. Since the Members have started having regular meetings, Emmaus has been non existent in the meetings. He would like staff to send a letter to the Borough of Emmaus to officially ask Emmaus if they still plan to be a part of the Southwest Comp Plan. Supervisor Sentner discussed his concerns regarding the stretch of road on Route 29 with many accidents occurring. He would like the Supervisors and staff to do whatever they can to have this stretch of road looked into to become safer. He plans to meet with the State Police and someone from Senator Bob Mensch's office to start gathering information.

**George DeVault** – Supervisor DeVault stated that he recently attended a community safety conference sponsored by Senator Bob Mensch. Supervisor DeVault presented the question, at the conference, of what Township's can do to help out their local volunteer fire companies. He was given the response that most volunteers state that they are unhappy with the lack of communication and endless hours spent on fundraising. The conference is on Senator Mensch's website and he encourages everyone to view the video. He would love to see something done to lighten the bourdon of fundraising for the volunteers.

Township Manager

**Daniel DeLong** – None

**ADJOURNMENT:** 9:10 P.M.

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Daniel J. Mohr, Chairman

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Date

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AnnaMarie L. Zeravsky, Secretary/Treasurer