

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING, OLD ZIONSVILLE, PA 18068  
June 7, 2012 AT 7:30 P.M.  
REGULAR MEETING MINUTES

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

Meeting called to order at 7:30P.M.

Pledge of Allegiance to the flag.

**ANNOUNCEMENTS:**

1. 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.

**PUBLIC INPUT:** -

1. Mike Makoul of Granville Road, Zionsville, feels that although the vast majority of township residents are responsible and take pride in their property, he also feels that The Township would greatly benefit from a Public Nuisance Ordinance. He stated that there are always a few residents that infringe upon the well being of other township residents. He gave a few examples of properties in the area and stated that he feels a Nuisance Ordinance would give The Township a good tool to deal with situations, such as poor conditions of properties that are in need of repair. He brought an example of another township's ordinance which covers items such as uncut grass/weeds, abandoned/junk vehicles, storage accumulation of junk, and other such items. Supervisor Mohr stated that The Board will take his suggestion under consideration.
2. Barnaby Ruhe of S. 5<sup>th</sup> Street, Emmaus, suggested that The Township take a stand against Act 13, which is Pennsylvania's Marcellus Shale Impact Fee. Mr. Ruhe feels that Act 13 goes against The Constitution. He feels that even in Upper Milford Township, that there is an immanent danger of fracking due to the way in which water goes down hill. He stated that there is Benzene and 34 or more chemicals in each fracking fluid of which there is 60 tons put into every well. When flooding occurs it typically discharges those fluids into the ground. He expects Benzene in Upper Milford's water within a year or two. Act 13 states that townships can no longer ban fracking. He also added that by putting solar roofs on all citizens' homes, that it would be a commons creating energy daily that everyone would benefit from.

**ACCEPTANCE OF MINUTES:** -

May 17, 2012 Workshop and Regular Meeting Minutes

**MOTION:**

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

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's 12107 to 12153 in the amount of \$81,246.61

**ESCROW FUND:**

PLGIT XXXX7109 – Check No's 101 to 102 in the amount of \$9,652.00

**PAYROLL FUND:**

PLGIT XXXX7015 – Check No 7254 in the amount of \$97.84

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer # 13 - 16

**MOTION:**

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

**OLD BUSINESS:**

1. Resolution No. 2012-025 Collection and Payment in installments of its Real Estate Tax Bills, Street Light Assessments, and Fire Protection Service Assessments

**MOTION:**

Supervisor Sentner made the motion to approve Resolution No. 2012-025. Supervisor DeVault then seconded the motion. Any questions or comments, all in favor, and the motion carried.

2. Sale of 2000 Tymco Model 600 Street Sweeper

**MOTION:**

Supervisor DeVault made the motion to approve the sale of the 2000 Tymco Model 600 Street Sweeper. Supervisor Sentner then seconded the motion. Any questions or comments, all in favor, and the motion carried.

**SOLICITOR'S REPORT:** - None

**NEW BUSINESS:** - None

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

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

**PLANNING COMMISSION – NEW BUSINESS:** -

1. Subdivision Land Development Time Extensions

**MOTION:**

Supervisor Sentner made the motion to grant the Time Extensions to expire on December 31<sup>st</sup>, 2012 for The Goldstein Subdivision, The Walnut Street Farm Subdivision, The Indian Creek Industrial Park Subdivision, The Indian Creek Industrial Park Lot # 10 Land Development, The Stone Ridge Estates Subdivision, The Estates at Maple Ridge Subdivision, The Mark Feiertag 4885 Raymond Ct Land Development, 4054 Chestnut St Land Development, Schreiber Circle Subdivision, Schreiber Court Subdivision, Schreiber Court Phase II Subdivision, Schreiber Subdivision, and Old Zionsville Village Center I and II and to expire on July 1<sup>st</sup>, 2012 for The Chris Boyko Land Development. Supervisor DeVault then seconded the motion. Any questions or comments, all in favor, and the motion carried.

2. Salisbury Township; Request for comment on the Draft Salisbury Township Comprehensive Plan dated April 2012

**MOTION:**

Supervisor Sentner made the motion to have Planning Coordinator, Brian Miller, draft a letter to Salisbury Township, thanking them for the chance to review the Draft Salisbury Township Comprehensive Plan. Supervisor DeVault then seconded the motion. Any questions or comments, all in favor, and the motion carried.

**SUBDIVISIONS – IMPROVEMENTS:** - None

**CORRESPONDENCE:** -

1. PSATS request to have auditorium rental fee waived for their Bicycle Safety Training Course

**MOTION:**

Supervisor Sentner made the motion to have the auditorium rental fee waved for PSATS for their rental on October 9<sup>th</sup>, 2012. Supervisor Mohr then seconded the motion. Any questions or comments, Sentner and Mohr in favor, DeVault opposed, and the motion carried.

2. Ralph Christman's request to have his property at 3311 Main Road East exempt from connecting to the public sewer system.

Ralph Christman requested to have his property exempt from hooking up to public sewer because his current septic system is a "perfectly working system" which cost \$20,000. In order to hook up, the public sewer would require the black top drive way to be dug up and go under the Liebert's Creek which would be a "considerable extra expense". Supervisor Sentner stated that according to the ordinance, if your property touches the road then you need to hook up. Solicitor Fisher stated that

exempting one resident would be selectively enforcing the ordinance. Ralph suggested the possibility of doing a property line adjustment to take that property off of the road frontage and creating a right away with his shop property. Supervisor Mohr feels that a property line adjustment would cost more than the sewer hook-up. SEO Brian Miller stated that a lot line adjustment that would create a non-lot development without road frontage would require a zoning variance. Therefore, it would not be so simple. Supervisor DeVault would like to see property owners with properly functioning systems that are meeting all requirements, be required to pay the tapping fee and have the lateral put in and then if and when the septic system fails beyond repair, then they must hook up to the sewer system. Mr. Christman also said that he apologizes for misreading the requirement and thinking he was exempt from having to hook up and he would have brought this to the Supervisor's attention sooner. Supervisor Sentner suggested that Mr. Christman speak with SEO Brian Miller and Zoning Officer Alan Brokate to explore other options, if there are any, and everyone involved will do some research and look into things further. Then the matter can be discussed at the next supervisor's meeting.

**EXECUTIVE SESSION** – None

**OTHER ISSUES** – None

**REPORTS:**

**Supervisors:**

**Daniel Mohr** – Expressed his concerns regarding the intensity of the letters sent out by Lehigh County Authority regarding the sewer project hook-ups. Resident Phil Casey agreed that LCA's heavy-handedness is excessive. Phil requested that the Board write a letter to LCA requesting them to have The Township review any and all letters that are sent to the residents. Manager DeLong reminded everyone that The Township Ordinance made LCA The Township's agent regarding the sewer project which means LCA does not need Supervisor approval to send out the crude letters. Although it may seem that LCA is not acting in The Township's best interest, LCA is not doing anything "wrong" by sending out the letters.

**Robert Sentner** – Welcomed Secretary/Treasurer AnnaMarie Zeravsky back from her leave of absence and thanked Manager Daniel DeLong and Administrative Assistant Cindy Kuhns for helping out during her leave. Supervisor Sentner also noted that he would like to have a mid year budget discussion. He would like the budget to reflect things that The Township needs. This discussion will be held at the July 19<sup>th</sup> Board of Supervisor Meeting.

**George DeVault** – Expressed his concerns regarding the letters that were sent out by Lehigh County Authority regarding the sewer project. He expressed his concern with the level of nastiness in the letters. With the extremely wet weather over the past few weeks, most projects have had unwanted delays that have resulted in the progress of completion to be pushed into the future. Solicitor Fisher suggested that The Township Manager communicate with LCA regarding the Supervisors' displeasure with the letters that were sent out and that The Township should have a heads up when any letters are going to go out in the future, to be sure that the right tone is expressed in the letter.

Recreation Commission – None

Township Manager

**Daniel DeLong** – None

**ADJOURNMENT:** 8:37P.M.

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Daniel J. Mohr, Chairman

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Date

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AnnaMarie L. Zeravsky, Secretary/Treasurer