

UPPER MILFORD TOWNSHIP
BOARD OF SUPERVISORS
TOWNSHIP BUILDING, OLD ZIONSVILLE, PA 18068
AUGUST 16, 2012 AT 7:00 P.M.
WORKSHOP MEETING MINUTES

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

CALL TO ORDER: 7:00 P.M.

ANNOUNCEMENTS:

Supervisor Mohr announced that the meeting was being recorded to principally aid in the preparation of Minutes and for such other purposes as the Board saw fit. For that reason, any person wanting to give any comments during the meeting should please state his or her name for the record and address the Board of Supervisors.

PUBLIC INPUT: - None

OLD BUSINESS:

1. Appeal of RFP Pension Services Selectee

Manager Daniel DeLong stated that Solicitor Fisher will discuss his finding in further detail during the Solicitors Report in the Regular Meeting but if the Supervisors had any questions he would be happy to try to answer them. Supervisor George DeVault asked Manager DeLong if Integrated Capital Management could appeal to a higher level once the Board of Supervisors deny and dismiss the Appeal/Objection. Manager DeLong stated that anyone has the options to challenge a Board's decision. Manager DeLong also stated that denying and dismissing the Appeal/Objection would finalize the Act 44 of 2009 process.

2. MS4 Permit Renewal

Manager DeLong stated that The Township's initial permit was to expire in 2009 but the state did not have the new program in place and they extended the permit until June 2013. In July of 2012, the state published the new rules, regulations, and applications. The application to renew the permit requires many attachments along with the lengthily application. Manager DeLong stated that Hanover Engineering is The Borough of Emmaus's consultant and a lot of the work they have already done is to Leibert's Creek. He has a meeting with Jason Smith of Hanover Engineering to go over what he could possibly do for the township as a consultant. The fee for the MS4 application is \$2,500 however if the deadline is not met, September 14, 2012, the fee will then become \$5,000, which does not leave much time to complete the application. Supervisor Sentner asked if the new MS4 application will supersede the Township's Act 167. Manager DeLong stated that the Township's Act 167 is part of the MS4 application; the Township's current Storm Water Protection Plan is drawn into the new MS4 documents by reference. Supervisor Sentner asked if Manager DeLong knows what will happen if the Township doesn't complete the

application; is the penalty worth the offset of not having to complete this application. Manager DeLong explained that this application process is unfunded federal regulations passed down to the state, then passed down to Townships. Manager DeLong further explained that the Township is required to obtain a permit from the state to be in compliance with federal regulations to allow the Township to have the water that runs off of streets and gutters to run into streams which allows the storm water pipes to run into streams. As part of obtaining that permit, the Township needs to have a few things in place such as, public education, sediment and erosion control management, storm water basin monitoring, and agreements with property owners for maintenance. Manager DeLong also added that the only part of the program that the Township has not been doing is the annual inspections and setting up the required fee schedule. Supervisor Sentner again stated that he wants to know what will happen if the Township does not comply because he doesn't know how the Township will pay the staff to perform all of these inspections. Manager DeLong confirmed Supervisor Sentner's concerns that, yes, this is going to be very costly to the Township. Resident Phil Casey asked if the Supervisor's could just table this and see what happens. Supervisor Sentner stated that he feels this is going to be a disaster for the Public Works Department and everyone else involved. Manager DeLong stated that he feels that there would be repercussion for the entire Township if the Supervisors would decide not to move forward especially since the Township has been in compliance since the plan's inception. Supervisor Sentner stated that he has no problem with the actual permit but he does have a problem, when looking into the future, at a storm water tax. Supervisor Daniel Mohr stated that it should be an easy transition for Hanover Engineering since they already work with the Borough of Emmaus. Supervisor DeVault stated that the deadline of September 13th does not leave a lot of time. Manager DeLong stated that by renewing the permit it brings the Township up to the levels that are required by the new program. Supervisor Sentner asked how this changes how the Township does business today. Manager DeLong stated that the Township will need an enforcement program for violators and documentation of the public education program. The biggest change would be the testing for the outlet structures, where pipes dump into stream and testing of the run off quality. Resident James Krippe asked how other Townships feel about this. He feels that someone should find out the feelings of other Townships around. Supervisor DeVault and Mohr agreed that Manager DeLong should at the very least meet with Hanover Engineering to discuss the permit for MS4s.

3. Vera Cruz Area Sewer Project; Course of Action Regarding Non-Responsive Owners

Manager DeLong stated that within the whole Vera Cruz project area there are 16 properties that have not responded and of those there are 2 or 3 properties that will most likely be obtaining grants. The deadline is September 1, 2012. Manager DeLong talked to the Solicitor earlier in the day to come up with a plan. It is the Solicitor's suggestion to send a letter out to the residents that the deadline is approaching rather than wait until after the deadline has passed. He suggested informing the residents that the Board of Supervisor's will consider taking legal action at the September 6th meeting. Manager DeLong added that there was a positive outcome the last time letters went out. Brian Miller is informed

as soon as the home owners contact LCA. Manager DeLong confirmed that he would be sending the letters out not LCA.

NEW BUSINESS: - None

ANY OTHER BUSINESS: - None

EXECUTIVE SESSION: - None

ADJOURNMENT: 7:36P.M.

Daniel J. Mohr, Chairman

Date

AnnaMarie L. Zeravsky, Secretary/Treasurer