

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING, OLD ZIONSVILLE, PA 18068  
AUGUST 16, 2012 AT 7:30 P.M.  
REGULAR MEETING MINUTES

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

Meeting called to order at 7:37P.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.

**PUBLIC INPUT:** - None

**ACCEPTANCE OF MINUTES:** -

August 2, 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. 12288 to 12322 in the amount of \$52,473.75

**STREET LIGHT FUND:**

PLGIT XXXX7025 – Check No 1204 in the amount of \$2,144.30

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer # 27 to 28

**MOTION:**

Supervisor DeVault made the motion to approve the payment of the bills as submitted and acknowledge bank transfers 27 and 28. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried.

Resident Phil Casey questioned why the Township would pay a company to cut the lawn at Churchview Park when the Township recently purchased a new mower. Manager DeLong stated that the Township keeps the contract to cut

Churchview to maintain the low rate that the Township receives, in the instance that the Township should need mowing services in the future.

**OLD BUSINESS:** None

**SOLICITOR'S REPORT:** - RFP Appeal

Solicitor Marc Fisher stated that at the Township's August 2<sup>nd</sup> meeting, the Board of Supervisor's acknowledged receipt of the appeal and objection of Integrated Capital Management to the tentative selection of Municipal Retirement Trust to serve as the pension plan services provider on behalf of the Township. As is required by law and policies and produces that are in place by Upper Milford Township, the entire relevant document was then sent to himself (Marc Fisher) for his review and opinion. Having reviewed all of the information, he has put together a letter dated August 8<sup>th</sup>, stating his professional opinion that the appeal and objection of Integrated Capital Management is not valid and he believes that Municipal Retirement Trust has accurately disclosed the true cost that would be incurred in the management of the Township's fund and they accurately disclosed their Investment Management and advisory fees. As required by the Township's policies and procedures, Solicitor Fisher recommends that the Board entertain a motion to deny and dismiss the appeal and objection by Integrated Capital Management, reinstate the RFP Process, direct staff in consultation with himself to prepare the formal pension services provider contract in favor of Municipal Retirement Trust, have a copy of his letter be provided to Integrated Capital Management and Municipal Retirement Trust, and have the objection that is currently listed on the Township's website to be removed.

**MOTION:**

Supervisor Sentner made the motion to deny and dismiss the appeal and objection by Integrated Capital Management, reinstate the RFP Process, direct staff in consultation with Solicitor Marc Fisher to prepare the formal pension services provider contract in favor of Municipal Retirement Trust, have a copy of the solicitor's letter be provided to Integrated Capital Management and Municipal Retirement Trust, and have the objection that is currently listed on the Township's website to be removed. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**NEW BUSINESS:** - None

**DEP MODULES / SEWAGE PLANNING:** -

1. Ronald Weaver Planning Modules

Manager DeLong stated that he received a call from DEP regarding the Ron Weaver Planning Modules which the Township approved. DEP indicated that as the module is currently submitted it is deficient of an anti-degradation report, which is required because it is in a high quality watershed. DEP has given the Township the opportunity to withdrawal that and save \$150 or they will most likely be writing a rejection letter. Manager DeLong will consult with Ron

Weaver's engineer to see what they want to do. The \$150 is their money. Ron Weaver will then have to come up with an anti-degradation report as an attachment.

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

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

**SUBDIVISIONS – IMPROVEMENTS:** - None

**CORRESPONDENCE:** -

1. AP Automotive request to lease/use 5 parking spaces for employee parking

AP Automotive wrote a letter to the Board of Supervisor's requesting 5 parking spaces for employee's/owner's use. Supervisor Robert Sentner stated that he would like to recues himself from this discussion. Supervisor George DeVault stated that he wants to look further into the Township's liability with the traffic being terrible by the Township parking lot. Gary Alan, one of the owners of AP Automotive, stated that he does have a copy of the company's insurance policy which states that the owners and employees are covered fully up to one million dollars. Mr. Alan also stated that the company's mailbox is across the street from their building causing them to cross the busy street daily already. Supervisor Mohr asked Manager DeLong if the current variance that is in place would allow AP Automotive to have off premise parking. Manager DeLong stated that the current variance states that AP Automotive is required to have an agreement for off premise parking. Supervisor Sentner then asked Manager DeLong if this would be the same situation as the Upper Milford Township Farmer's Market needing to go before the Zoning Hearing Board because it was an accessory use to the Township Building. Manager DeLong stated that the Township already has an accessory use of parking. Solicitor Fisher then stated that this is the Zoning Officer's call. Supervisor Mohr stated that this will have to be reviewed by the Zoning Officer and can be discussed at the next meeting.

2. Joel Kleckner request to lower speed limit on Colebrook Ave

Resident Joel Kleckner wrote a letter to the Board o Supervisor's requesting the Supervisor's to consider a lower speed limit on Colebrook Ave. Manager DeLong stated that the Penn Dot Vehicle Code states what the Township can and cannot do when it comes to speed limits and traffic control devices. This section of Colebrook Ave is a business area which means that without doing a speed study, the speed limit can be set at 35 mph which it currently is. The Township can commission a speed study to see if the speed limit can be set at 25mph but no lower. Manager DeLong then stated that he consulted with the Township's engineer who stated that for *only* \$1,000 they can conduct a traffic study. However they cautioned that it could come back at 35 mph anyways. Supervisor Mohr brought up that the speed limit can be set at 15% below the average speed within a traffic study which in some instances will actually raise the speed limit. Mr. Kleckner stated he was not aware of the regulations and he will drop the issue of lowering the speed limit. Supervisor Sentner suggested that Mr. Kleckner ask the state police to sit on Colebrook Ave to monitor the

speeding. Supervisor Mohr stated that sometimes, just the presence of the police will slow drivers down. Resident James Krippe asked if a "Slow Children at Play" sign would help. Manager DeLong stated that he will look into what criteria needs to be met to have a "Slow Children at Play" sign.

3. Greater Lehigh Valley Visiting Nurse Association 2013 Donation Request

Lucille Gough from the Greater Lehigh Valley Visiting Nurse Association wrote a letter to the Board of Supervisor's regarding their request for consideration of a donation from the Township when considering the Township's 2013 budget. Supervisor Mohr stated that the Board of Supervisor's would consider this request when working on the 2013 budget for the Township.

4. Meals on Wheels of Lehigh County 2013 Donation Request

Michele Grasso of the Meals on Wheels of Lehigh County wrote a letter to the Board of Supervisor's regarding their request for consideration of a donation from the Township when considering the Township's 2013 budget. Supervisor Mohr stated that the Board of Supervisor's would consider this request when working on the 2013 budget for the Township.

**EXECUTIVE SESSION** –

The Board of Supervisors held an executive session from 8:03 PM until 8:07 PM to discuss personnel issues.

**OTHER ISSUES** - None

**REPORTS:**

Township Emergency Management Coordinator:

**Bill Stahler** –

Manager DeLong reported on behalf of Bill Stahler. He reported that Bill sent a memo requesting to provide funding for fireman and fire police training and mileage reimbursements and this should be considered by the Board of Supervisors during the 2013 Township budget process.

Recreation Commission –

**Barry Williams** – None

Supervisors:

**Daniel Mohr** –

Supervisor Mohr stated that he was recently at Jasper Park and was approached by a man who wanted to rake the field before their game started. The man rakes the field with a pick up truck and since the gates were closed and he didn't have

a key, he wanted to drive through the grass. Public Works Coordinator Steve Ackerman stated that Barry has a key and they should contact him for a key. Ralph Nasatka stated that the youth association usually uses a small tractor to rake the fields. Mr. Nasatka also stated that he will pass the information along to Barry Williams.

Supervisor Mohr stated that the annual Vera Cruz Homecoming will be held on August 19<sup>th</sup> this year. There will be music, food, and fun. The weather is expected to be nice and he is hoping that everyone there has a good time. They are still in need of some volunteers and anyone wanting to donate even an hour of their time should contact him. This event is being sponsored by the Vera Cruz Community Association.

**Robert Sentner –**

Supervisor Sentner stated that he recently purchased an Upper Milford Historical Society book which is a fantastic book; everyone should buy one. He also asked Manager DeLong if he was getting close with the budget work and Manager DeLong stated that he was getting close.

**George DeVault –**

Supervisor DeVault stated that Representative Mackenzie had a meet and greet for local officials that he attended. He stated that they discussed Main Road East and how Penn Dot was planning to replace all of the draining pipes but because of the reception that they received from DEP, they decided to repave the roads and let the pipes fail whenever. He appealed to Representative Mackenzie to see if they could open communication and get inner agency cooperation. Representative Mackenzie stated that they would look into it but were not promising anything.

Township Manager

**Daniel DeLong – None**

**ADJOURNMENT: 8:13P.M.**

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Daniel J. Mohr, Chairman

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Date

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AnnaMarie L. Zeravsky, Secretary/Treasurer