

**APPROVED MINUTES**

**UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING  
NOVEMBER 15, 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, Marc Fisher;  
Secretary/Treasurer, AnnaMarie Zeravsky

Meeting called to order at 7:30P.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:** -

Edward Prescott, Judge of Elections for the Western District, took the opportunity to speak to express his thanks to the Board of Supervisors, the Fire Police, and the Township Staff for the assistance with the election held on November 6<sup>th</sup>. There were a total of one thousand eight hundred thirty three voters and ninety seven absentee ballots. It was a long hard day and with everything considered, it went very well.

**ACCEPTANCE OF MINUTES:** -

October 18, 2012 Workshop & Regular Meeting Minutes  
October 24, 2012 Special Workshop Meeting Minutes  
November 1, 2012 Workshop & Regular Meeting Minutes  
November 8, 2012 Special Workshop 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. 12508 to 12542 in the amount of \$37,764.53

**STREETLIGHT FUND:**

PLGIT XXXX7125 – Check No 1207 in the amount of \$2,186.42

**PAYROLL FUND:**

PLGIT XXXX7015 – Check No 7264 in the amount of \$97.84

**MOTION:**

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

**OLD BUSINESS: -**

1. Adoption of 2013 Tentative Budget

Manager DeLong summarized the 2013 draft budget, stating that the Supervisors took a hard look at the Township's revenues, expenses, and needs. The most important parameter was to not raise taxes. Due to the recently enacted Earned Income Tax Collection change, the revenues collected were accelerated this year to the point where there is a windfall of about two hundred thirty thousand dollars which will be carried over into the 2013 budget and allowed the draft budget to be balanced with no tax increase. The contributions to the two Fire Companies and two Ambulance Companies were increased by five percent. There is room for two percent wage increases for the Township employees. There will be no major equipment replacements or repairs. The road work including bridge and culvert replacement is budgeted to cost five hundred nineteen thousand dollars. The Board of Supervisors will maintain Library Membership for the Township residents and the Township, for the second year, will not make any cultural donations. The budget is set at two point two million dollars.

**MOTION:**

Supervisor Sentner made the motion to adopt the Tentative 2013 Budget and authorize staff to advertise the Tentative 2013 Budget for public review and comment. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

2. Year End Meeting Schedule

Supervisors Mohr summarized a memo from Manager DeLong stating his recommendation for the remaining meetings in order to complete all Township business for the remainder of the year.

**MOTION:**

Supervisor Sentner made the motion to Maintain the December 6<sup>th</sup> Workshop and Regular Meeting, Cancel the Dec 19<sup>th</sup> Workshop and Regular Meeting, set and advertise the Year End Workshop and Regular meeting for 7:00 P.M. and 7:30 P.M. on Thursday, December 27<sup>th</sup>, 2012, and authorize Township staff to timely pay any due bills to avoid incurring any late fees and forward a report to the Board of Supervisors at the Year End Meeting for their acknowledgement. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**SOLICITOR'S REPORT: - None**

**NEW BUSINESS:** -

1. Library Board Trustee Appointment

Manager DeLong stated that Township resident Jay Lieberman expressed his interest in filling the vacancy for a Trustee on the Library Board. Manager DeLong said that Mr. Lieberman noted that he would be willing to finish out this year and take a full appointment of three years starting in January. Manager DeLong and The Librarian sat down with Mr. Lieberman to go over the duties and scheduling.

**MOTION:**

Supervisor DeVault made the motion to appoint Jay Lieberman as Trustee of the Library Board for the unexpired term of Dorothy Nicholas and for a full three year term ending on December 31, 2015. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried.

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

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

**PLANNING COMMISSION – NEW BUSINESS:** -

1. Buss Construction Company Land Development SALDO Waivers

**MOTION:**

Supervisor DeVault made the motion to waive SALDO Section 502.A: Submission of Preliminary/Final Land Development Plans, SALDO Section 503.C.K.2: Soil Erosion/Sedimentation Control Methods Narrative, SALDO Section 1004.C.2: No Shoulder Improvements, SALDO Section 1007.F: Recreation Fees, SALDO Section 1008.A.1: Basin Fencing for the Existing Stormwater Basin, SALDO Section 1011.B.2: Stormwater Drainage and Utility Easement, SALDO Section 1014.A: Curbing, SALDO Section 1015.A: Sidewalks. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried.

2. Buss Construction Company Land Development Approval Recommendation

**MOTION:**

Supervisor Sentner made the motion to approve Buss Construction Land Development contingent upon any outstanding Township Engineering comments being addressed, outside agency approvals, an executed improvements agreement, a signed O & M Agreement, and payment of any outstanding fees. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

3. Draft Saucon Creek Act 167 Stormwater Ordinance, Adoption Recommendation

**MOTION:**

Supervisor Sentner made the motion to direct the Solicitor to start the process of the adoption of the Draft Revision to the Saucon Creek Act 167 Stormwater Ordinance. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

4. Draft Amendment to the Little Lehigh Creek Act 167 Storm Water Ordinance, Adoption Recommendation

Supervisor Sentner made the motion to direct the Solicitor to start the process of the adoption of the Draft Revision to the Little Lehigh Creek Act 167 Stormwater Ordinance. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**SUBDIVISIONS – IMPROVEMENTS:** - None

**CORRESPONDENCE:** -

1. Lateral Installation Request

Supervisor Mohr summarized a letter from Mr. and Mrs. Christman requesting the Township to install the lateral across the creek in order for him to hook up to the public sewer or to grant an exemption from being required to connect to public sewer. Supervisor DeVault said that he has been an outspoken opponent of the Vera Cruz Sewer Project from day one. He stated that he proposed a compromise, such as if people with a house with a functioning system should fail, then at that point would the homeowner be required to connect. He also stated that there are three homes that Lehigh County Authority tunneled under the creek for these homes to get hooked up. He feels that in all fairness to Mr. and Mrs. Christman, that LCA should do the same thing.

**MOTION:**

Supervisor DeVault made the motion to have the Township direct Lehigh County Authority to extend the service lateral to the north side of the east branch of Leiberts Creek so that the Christman's can hook-up, at Lehigh County Authority's expense. There was no second to the motion. Any questions or comments, one was in favor, two were opposed, and the motion did not carry.

Supervisor Mohr asked Manager DeLong if the Township can do what Supervisor DeVault asked. Manager DeLong stated that yes, the Township can write a letter to LCA but it doesn't mean they are going to do anything. Supervisor Mohr asked if the other houses that Supervisor DeVault was referring to, were the same situation as Mr. Christman's property. Manager DeLong stated that there were actually four properties that LCA installed the laterals and shot it across the creek. The difference being that the state right of way was at the creek. They couldn't install it in the creek so they had to install in on the other side. Manager DeLong explained that Mr. Christman's state right of way is

where they set the curb box. Supervisor Sentner said that he does not see LCA coming back with a boring machine to bore one property. Manager DeLong stated that it doesn't hurt to write a letter. Supervisor DeVault stated that LCA should pay for this to be done because this should have been included in the plan from the very beginning. Supervisor DeVault said that if you look at a map, anyone could see that you have to go under the creek, regardless of where any rights of ways are. If the Township can not grant an exemption, then Supervisor DeVault feels LCA should pick up the cost to do this. Manager DeLong stated that LCA cannot do any work without obtaining legal right of way to be there and there is permitting requirements for their contractor to do the work. Supervisor Sentner stated that even if LCA would say that they would do this, all of the people being serviced are going to be paying for this. Supervisor DeVault said that this is a gross oversight and he can't see how this fell through the cracks. Resident Phil Casey asked if the Township could grant an indefinite extension. Solicitor Fisher said that is the same thing as an exemption.

**MOTION:**

Supervisor Sentner made the motion to direct staff to write a letter on Mr. Christman's behalf, to Lehigh County Authority asking if they will bore the lateral under the creek at Lehigh County Authority's expense. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**EXECUTIVE SESSION:** – None

**OTHER ISSUES** –

Supervisor Mohr thanked the emergency responders, including Supervisor DeVault, that were dispatched to the incident that occurred on Buckeye Road on this past Sunday evening. He said that they spend a lot of time there helping and it is well appreciated. Supervisor Sentner mentioned that the Public Works Department was also out there helping and did a great job.

**REPORTS:**

Township Emergency Management Coordinator:

**Bill Stahler** – None

Recreation Commission –

**Barry Williams** – None

Supervisors:

**Daniel Mohr** – None

**Robert Sentner** –

Supervisor Sentner said that he hoped that PennDot and the Department of Environmental Protection realize that this is an environmental problem but it is greatly impacting residents and businesses as well and they should consider them when they are making their decisions.

**George DeVault –**

Supervisor DeVault commended everyone from the emergency services within the Township that responded to the diesel spill on Buckeye Road and Tank Farm Road. The response was superb. All of the training and hazmat classes really paid off because everyone knew exactly what to do, jumped in, and did it. They did whatever they had to stop the rivers of diesel fuel from getting into the storm drains. Everyone involved did an exceptional job. He said that if the truck had been filled with much more volatile fuel, he would still be recovering bodies. He said that he just can't thank everyone enough, especially the Township Road Crew, for such a great response.

Township Manager

**Daniel DeLong –**

Manager DeLong reported that the sale of Old Truck 10 was final. The title transfer was complete and the truck was with the new owner.

**ADJOURNMENT:** 8:14P.M.

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Daniel J. Mohr, Chairman

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Date

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AnnaMarie L. Zeravsky, Secretary/Treasurer