

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING  
DECEMBER 6, 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, Eric Strauss;  
Secretary/Treasurer, AnnaMarie Zeravsky

Meeting called to order at 7:41P.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:** -

Resident Andy Young stated that with the power going out for days at a time, he wants everyone to help their neighbors. He is concerned with the sick and elderly in the area. He feels there should be somewhere for these people to go to get warm. He also stated that he is concerned with the raw sewage that leaked into the Township. Mr. Young feels that maybe getting the Government out of the way, since they don't seem to care, the residents should just worry about helping the neighbors. The government has so many regulations, he fears if they get involved that their will never be any time of shelter. Supervisor Sentner stated that the minister from one of the local churches also had the same concerns.

Resident David Lindstrom stated that he feels as though he went back in time. When the power goes out, most residents can't even use their toilets. He stated that he is more than willing to help out in any way possible to come together as a community to help all neighbors. Mr. Lindstrom feels there needs to be some type of Emergency Shelter System in place. Supervisor Sentner recommends the residents contact the Minister at the Local Lutheran Church. Barry Williams mentioned that he is a Church Councilor at the Lutheran Church. The only thing holding the church back from moving forward with being an Emergency Shelter for the community is the lack of funds for a generator. He stated that if the residents wanted to ban together to generate the funds, that is the only thing the church needs. Andy Young stated that he is more than willing to make a donation to the church. Resident Phil Casey asked if the Township was going to have anything to say about permitting for the church. Supervisor Sentner said that he would have no problem with the church moving forward with this. Supervisor DeVault said it is something that needs to be done. Resident Frank Caputo said that the reporters should notify the residents of the donations requested.

David Lindstrom asked if there was ever a definite reason for the sewage leak. Manager DeLong stated that it was determined to be a rock on the check valve.

Supervisor Mohr said that the worst place for a rock to be is right on the fittings. Supervisor Mohr also noted that it was a private contractor who back filled and it was not a "failure" with LCA's system and the rock within the back fill occurred after The Township inspected. Supervisors Mohr mentioned that in the future, if any residents smell sewage, they should notify LCA immediately.

Resident Dick Lobach, 4950 Buckeye Rd, asked if there is anything the Township can do about getting a light at the intersection of Tank Farm Road and Buckeye Road. Manager DeLong spoke to Mr. Toomey from PennDot and he discussed that a study would not warrant a traffic light at that intersection. However based on safety, there is a possibility of a flashing light. The lights are expensive and don't necessarily mean anyone is going to slow down. Also, the biggest problem with a warning light is the neighbors in the area could complain of seeing the flashing lights within their house. Mr. Lobach mentioned that the trucks just can't pull out quickly; maybe the intersection could be better illuminated. Supervisor Sentner said that maybe Buckeye would consider putting a light up.

Mr. Lobach also brought up a catch basin in front of his property. The water running from Tank Farm Road runs down and doesn't even make it into the catch basin. He is hoping something can be done about the catch basin. Supervisor Sentner recommended to Mr. Lobach that he should contact his state representative since this is a PennDot issue.

**ACCEPTANCE OF MINUTES: -**

November 15, 2012 Workshop & Regular Meeting Minutes

**MOTION:**

Supervisor Sentner made the motion to approve all minutes. Supervisor DeVault 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. 12543 to 12581 in the amount of \$28,102.41

**ESCROW FUND:**

PLGIT XXXX7109 – Check No 105 in the amount of \$2,000.00

**STATE LIQUID FUELS FUND:**

PLGIT XXXX7112 – Check No 2602 in the amount of \$7,627.60

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer # 37

**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:** - None

**SOLICITOR'S REPORT:** - None

**NEW BUSINESS:** -

1. Emmaus/Upper Milford Township Joint Environmental Advisory Council, appointment, Joyce K. Moore

Manager DeLong wrote a memo recommending that the Board of Supervisors appoint Joyce K. Moore to the Emmaus/Upper Milford Township Joint Environmental Advisory Council to fill the unexpired term of Ken Baumert which runs through January 6, 2014.

**MOTION:**

Supervisor Sentner made the motion to appoint Joyce K. Moore to the Emmaus/Upper Milford Township Joint Environmental Advisory Council to run through January, 2014. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

2. Zoning Hearing Board appointment, Linda Feiertag

Manager DeLong wrote a memo recommending that the Board of Supervisors appoint current Zoning Hearing Board Alternate Member, Linda Feiertag, to fill the balance of Mike Mullen's vacant term through December 31, 2013.

**MOTION:**

Supervisor DeVault made the motion to appoint current Zoning Hearing Board Alternate Member, Linda Feiertag to the Zoning Hearing Board as a Regular Member. 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. Recommendation on Zoning Amendments

Planning Coordinator, Brian Miller wrote a Memo to the Board of Supervisors recommend approval of amendments to the Upper Milford Township Zoning Ordinance to deal with issues and errors that have been found within the Ordinance since the latest version of the Zoning Ordinance has been in effect.

**MOTION:**

Supervisor Sentner made the motion to authorize the solicitor to take any necessary action needed to implement the amendments, as submitted by Planning Coordinator, Brian Miller. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

2. Recommendation on Lower Macungie SALDO Amendments

Planning Coordinator, Brian Miller wrote a letter to the Board of Supervisors regarding the proposed amendments to the Lower Macungie Subdivision and Land Development Ordinance. The Upper Milford Township Planning Commission reviewed the proposed Amendments and unanimously recommends the Board of Supervisors express their concerns of the amendments to the Lower Macungie Board of Commissioners and the Lower Macungie Planning Commission. Part 6-A of the amendment would exempt minor non residential land development plans that create less than 10,000 Sq. Ft. of impervious from planning commission review. By exempting those land developments from planning commission review the residents of Lower Macungie would also lose their chance for public comment and review. During the early stages of a nonresidential project that goes before the planning commission a developer may be more inclined to make changes to alleviate any concerns from the residents and the planning commission. The amendment would also allow 3 people employed by the township to make the decision specifically as to what will be reviewed or not reviewed by the planning commission. The planning commission is made up of members of the community whose main objective is long term strategic planning. Their input at this early stage should be important, a number of poorly planned minor subdivisions/land developments could have at least as great if not a greater negative impact on the community than a major subdivision/land development.

Supervisor Sentner stated that this is not within the Upper Milford Township but this greatly affects the people within the Township. Lower Macungie Commissioners took 600 acres of zoned agriculture land and they plan to build houses. They are currently voting on another 200 homes within their Township. This is not in compliance with the Southwest Comp Plan. As an Upper Milford Township resident, Supervisor Sentner feels that Lower Macungie Township is devaluing the stand of living with Upper Milford Township. He recommends having all Southwest Comp Plan members together to talk to Upper Milford Township about everyone's concerns. Resident Phil Casey recommends sending a rejection letter to Lower Macungie Township and notifying the newspapers and courtesy copy all of the adjoining municipalities to make this rejection public.

**MOTION:**

Supervisor Sentner made the motion to direct staff to contact all members of the Southwest Comp Plan to arrange a meeting at Upper Milford Township to discuss how everyone involved wants to move forward. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**MOTION:**

Supervisor Sentner made the motion to send a letter from the Board of Supervisors to Lower Macungie Township reiterating what the Planning Commission stated in their letter. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

3. David and Emilie Lobach Boundary Line Adjustment Plan Approval

Planning Coordinator wrote a letter to the board of Supervisors regarding the Lot Line adjustment plan for David and Emilie Lobach. The lot line adjustment plan is for two properties that are split by the border of Upper Milford and Lower Milford Township. The Planning Commission recommends the Board of Supervisors approve the lot line adjustment contingent on deferral from Lower Milford Township and approval from the Lehigh Valley Planning Commission.

**MOTION:**

Supervisor Sentner made the motion to approve the lot line adjustment for David and Emilie Lobach contingent on deferral from Lower Milford Township and approval from the Lehigh Valley Planning Commission. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

4. Time Extension Recommendations

Planning Coordinator, Brian Miller wrote a letter to the Board of Supervisors recommending them to grant a 180 day time extension for the following applicants that are due to expire at the end of December 2012: 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 Maples Ridge Subdivision, Mark Feiertag 4885 Raymond Court Land Development, 4054 Chestnut Street Land Development, Schreiber Circle Subdivision, Schreiber Court Subdivision, Schreiber Court Phase II Subdivision, Schreiber Subdivision, Old Zionsville Village Center I and II, Chris Boyko Land Development, and 6244 and 6274 Sweetwood Drive boundary line adjustment.

**MOTION:**

Supervisor Sentner made the motion to grant a 180 day time extension for the following applicants that are due to expire at the end of December 2012: 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 Maples Ridge Subdivision, Mark Feiertag 4885 Raymond Court Land Development, 4054 Chestnut Street Land Development, Schreiber Circle Subdivision, Schreiber Court Subdivision, Schreiber Court Phase II Subdivision, Schreiber Subdivision, Old Zionsville Village Center I and II, Chris Boyko Land Development, and 6244 and 6274 Sweetwood Drive boundary line adjustment. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried.

**SUBDIVISIONS – IMPROVEMENTS:** - None

**CORRESPONDENCE:** - None

**EXECUTIVE SESSION:** – None

**OTHER ISSUES:** –

Manager DeLong stated that the conversion of the radios to the new frequency, as mandated by the Feds, has taken place. He also mentioned that this was an unfunded mandate which cost a little over ten thousand dollars.

**REPORTS:**

Township Emergency Management Coordinator:

**Bill Stahler** – None

Recreation Commission:

**Barry Williams** – None

Supervisors:

**Daniel Mohr** – None

**Robert Sentner** – None

**George DeVault** –

Supervisor DeVault thanked for the good turn out to this meeting and hopes to see more of the residents at the meetings.

Township Manager

**Daniel DeLong** – None

**ADJOURNMENT:** 8:50 P.M.

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Daniel J. Mohr, Chairman

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Date

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**BOARD OF SUPERVISORS  
REGULAR MEETING OF  
December 6, 2012  
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**APPROVED MINUTES**

AnnaMarie L. Zeravsky, Secretary/Treasurer