

UPPER MILFORD TOWNSHIP
BOARD OF SUPERVISORS
TOWNSHIP BUILDING, OLD ZIONSVILLE, PA 18068
JANUARY 22, 2015 AT 7:30 P.M.
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors; George DeVault, Robert Sentner, Daniel Mohr; Township Manager, Daniel DeLong; Solicitor, Marc Fisher; Asst. Township Manager, Timothy Haas; Michael Waldron, P.E.

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

Pledge of Allegiance to the flag.

ANNOUNCEMENTS:

This 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 this meeting, please state your name for the record and address the Board of Supervisors.

PUBLIC INPUT:

Bob Wieland of 4100 Champagne Drive (Mink Estates) thanked the Township for installing yellow bands around the telephone poles on Mill Road. He also shared his concern regarding the narrow walkway on the train bridge along Chestnut Street (approx. 175 South of James Street). His concern is that it is difficult for pedestrians to walk across the bridge, given the narrow walkway. He recommends that upon any future plans to reconstruct the bridge the finish product would include a wider walkway for pedestrians to safely cross over the bridge.

ACCEPTANCE OF MINUTES:

January 5, 2015 Reorganization Meeting Minutes

MOTION:

Supervisor Sentner made the motion to approve the minutes. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No. 14422 to 14455 in the amount of \$52,461.55

PAYROLL FUND:

PLGIT XXXX7015 - Check No. 7308 to 7310 in the amount of \$324.34

STREETLIGHT FUND:

PLGIT XXXX7125 - Check No. 1239 to 1240 in the amount of \$2,473.85

STATE LIQUID FUELS FUND:

PLGIT XXXX7112 - Check No. 2614 in the amount of \$26,127.69

MOTION:

Supervisor Sentner made the motion to approve and acknowledge all bill payments as read. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

OLD BUSINESS: None

NEW BUSINESS:

1. Stormwater Best Management Practices Operations & Maintenance Agreement Resolution No. 2015-017 for 5272 Tomahawk Lane

MOTION:

Supervisor Sentner made the motion to approve Resolution No. 2015-017. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

2. Upper Milford Township/Michael Crossley – Fulmer Tract Lease Renewal

Chairman DeVault asked Manager DeLong for an explanation of the Fulmer Tract Lease. Manager DeLong stated that the Fulmer Tract is a 17 acre parcel of land, across from Jasper Park and adjacent to Vera Cruz Road & Quarry Drive North. Michael Crossley is interested in leasing the parcel for farming purposes with some minor grass mowing around the edges. The lease agreement is for one (1) year, for \$950.00.

Supervisor Sentner asked Manager Delong if any other entity/person has interest in the Fulmer Tract, to which Manager Delong's reply was there is no interest from any other outside entity/person at the present time.

MOTION:

Supervisor Sentner made the motion to enter into a lease with Michael Crossley for the Fulmer Tract Lease for 2015 for the amount of \$950.00. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

SOLICITOR'S REPORT: None

DEP MODULES / SEWAGE PLANNING: None

PLANNING COMMISSION – OLD BUSINESS: None

PLANNING COMMISSION – NEW BUSINESS:

1. Time extension the Fields at Indian Creek Lot Consolidation, Correspondence from Planning Coordinator, Brian Miller, dated January 16, 2015.

MOTION:

Supervisor Mohr made the motion to approve the time extension, extending the expiring date to June 30, 2015. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

2. Fields at Indian Creek Lot Consolidation Approval Recommendation, correspondence from Planning Coordinator, Brian Miller, dated January 22, 2015.

MOTION:

Supervisor Sentner made the motion to approve the lot consolidation contingent upon addressing the items in the Township Engineers review letter dated October 31, 2014 and also obtaining approval from the Borough of Emmaus and Lower Macungie Township, as well as defer the SALDO requirements from Section 801.A & Section 1020.A. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

3. Preliminary Plan Approval for “The Fields at Indian Creek”
Correspondence from Lehigh Engineering Associates, dated January 12, 2015
Correspondence from Planning Coordinator, Brian Miller

Kay Builders Representatives present at the meeting:

Ed Murphy
Jeff Chandler

Lehigh Engineering Associates, Inc. representative present at the meeting:

Lewis Rauch, II

Discussions began with Jeff Chandler summarizing the proposed development and the status of approvals from outside agencies. Solicitor Fisher asked for clarification from the developer on who will own the land being designated as open space and Jeff Chandler made it clear the Home Owners Association will own the land. Supervisor Sentner asked for clarification regarding the lack of approvals from multiple agencies related to the project. Presently, the Lehigh County Conservation District has not granted approval for the Storm Water Management portion of the plan. Supervisor Sentner asked Solicitor Fisher what granting Preliminary Approval at this time would entail. Solicitor Fisher summarized the three (3) options the Township can pursue; 1.) Grant Preliminary Approval subject to conditions. 2.) Reject the Preliminary Plan. 3.)

Table the Preliminary Plan, pending further input. Chairman DeVault asked Solicitor Fisher what the deadline of the time extension is. Solicitor Fisher clarified that the extension expires June 30, 2015. Chairman DeVault's concern to the developer is why, after two and a half years, there are still so many unanswered questions. Chairman DeVault continued in stating he would be very hesitant to grant Preliminary Approval with so many unanswered questions and lack of approvals. Supervisor Sentner asked the developers which agencies (LVPC DEP, PennDot, and LCA) have granted project approval. Lewis Rauch responded that approvals have not been obtained by any of the agencies referenced by Supervisor Sentner, apart from PennDot approving a traffic study. Most importantly, NPDES approval has not been granted due to a lack of a formal submission at this time. Supervisor Sentner asked the developer if they have been granted Preliminary Approval from the Borough of Emmaus and Lower Macungie Township. Jeff Chandler responded by stating that both Planning Commissions have given recommendations for Preliminary Approval, Lower Macungie Planning/Zoning meeting made a recommendation to grant Preliminary Approval, and they are scheduled to present before the Borough Council of Emmaus February second. Supervisor Sentner asked what the status is on DEP approval for the pedestrian bridge crossings. The developer answered by stating that they have not submitted at this time. Supervisor Sentner asked why there is a push to receive Preliminary Plan approval. Jeff Chandler responded that subdivision prior to purchasing is important and having preliminary plan approval is key. Supervisor Mohr is encouraged to see the process moving along, but he still has outstanding concerns. Mike Waldron reminded the Board of Supervisors that the Developer is bound to the conditions contained within the review letters. Supervisor Sentner also arose concerns regarding the fees paid in lieu of vs. open space area. Solicitor Fisher expressed to Supervisor Sentner that the topic of fees paid in lieu of vs. open space area is a topic that can be discussed at a later time as it does not affect the granting or denying process of Preliminary Plan approval. All Board members agree that since the development in question will be the largest development in Upper Milford Township, they need to be sure every element to the plan has been thoroughly reviewed properly. Solicitor Fisher asked the Supervisors if they would revisit the discussion of granting Preliminary Approval once a review letter from the Lehigh County Conservation District is received. The Board found it favorable to wait to revisit the discussion of granting Preliminary Approval upon a review letter from the Lehigh County Conservation District is received.

Summary:

The Developer has not officially submitted for NPDES approval at this time. Given that there is not NPDES approval at this time, the Township Supervisors have decided to table the Preliminary Plan approval until a comment letter has been received from the Lehigh County Conservation District.

MOTION:

Supervisor Mohr made the motion to table the plan until a comment letter from the Lehigh County Conservation District is received. Chairman DeVault seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

SUBDIVISIONS – IMPROVEMENTS: None

CORRESPONDENCE: None

EXECUTIVE SESSION: None

OTHER ISSUES: None

REPORTS:

Emmaus Library:

Lisa Marten (President of the Emmaus Library), on behalf of the Emmaus Library, extended her words of gratitude to the Township for their continued financial support of the library.

Recreation Commission:

Barry Williams – indicated no report

Supervisors:

Robert Sentner – Supervisor Sentner stated that he red Chairman DeVault’s new book, *Fire Call*. Supervisor Sentner indicated the book was a “good read” and that it goes to a good cause.

Daniel Mohr – Indicated no report

George DeVault – Chairman DeVault shared follow-up comments to Supervisor Sentner’s adulations of his book, *Fire Call*, and that it benefits volunteer fire fighters.

Township Manager

Daniel DeLong – Indicated no report

ADJOURNMENT: 8:42 P.M.

George D. DeVault, Chairman

Date

Timothy A. Haas, Asst. Twp. Manager/Secretary