

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING, OLD ZIONSVILLE, PA 18068  
MARCH 19, 2015 AT 7:30 P.M.  
REGULAR MEETING MINUTES

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**ATTENDANCE:** Supervisors; George DeVault, Daniel Mohr, Robert Sentner; Township Manager, Daniel DeLong; Asst. Township Manager, Timothy Haas; Solicitor, Marc Fisher; Planning Coordinator and SEO, Brian Miller

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.

**SPECIAL PRESENTATION**

Public Education Requirement of the Township's MS4(separate storm sewer system) Permit. Presented by: Ms. Saible O'Brien the Perkiomen Watershed Conservancy. Storm water pollution solutions and low impact projects Township residents can do to minimize pollutants that reach the local waterways. Upper Milford Township has taken great interest in lowering pollutants that reach the local waterways. O'Brien shared some great ways to control water pollutant runoff from a property. Mowing your grass at a height of three (3) inches prevents water from flowing off a property with little filtration, as shorter length grass allows. Rain gardens are very beneficial in filtering water runoff pollutants. Rain gardens are also eco-friendly as they promote local habitation of plant life. A third effective tool in aiding in water pollutant runoff was to be mindful of what you pour into the street and/or storm drain, i.e. – car wash detergents, animal waste products, paints, etc. O'Brien also shared that the use of a rain barrel enables a resident to cut costs while using recycled rain water to water plants, provide drinking water for animals, etc. The presentation was informative and helpful in understanding what we can do as a Township to aid in helping promote a good, clean, and healthy environment.

**PUBLIC INPUT:** None

**ACCEPTANCE OF MINUTES:**

February 19, 2015 Workshop & Regular 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.

**RATIFICATION AND APPROVAL OF BILL PAYMENTS MADE BY THE TREASURER DUE TO THE CANCELLATION OF THE MEETING SCHEDULED FOR MARCH 5, 2015 PER RESOLUTION NO. 2011-031:**

**GENERAL FUND:**

PLGIT XXXX7096 – Check No.s **14541** to **14568** in the amount of **\$31,624.55**  
(Includes a refund check for a security deposit for UMT auditorium – Check No. **14541**)

**MOTION:**

Supervisor Sentner made the motion to approve the ratification and approval of bill payments made as read. 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's. **14569** to **14600** in the amount of **\$41,704.29**  
(includes a refund check for a security deposit for UMT auditorium – Check No. 14569)

**STREETLIGHT FUND:**

PLGIT XXXX7125 - Check No.s **1244** to **1245** in the amount of **\$2,107.57**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer #2015-006 to #2015-013

**MOTION:**

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

**OLD BUSINESS:**

- 1.) Fields at Indian Creek; Developer request to discuss Open Space Fee vs. Recreation/Open Space amenities being provided

**Kay Builders Representatives present at the meeting:**

Ed Murphy  
Jeff Chandler

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

Lewis Rauch, II

Supervisor Sentner stressed to the developer that he, along with the rest of the Board of Supervisors, wants to make the best decision possible for the Township residents. He would like to see depicted on the plan what 21.1203 acres of open space would look like, as it compares to the existing 14.0192 acres, and what effects the increase in open space may have on the overall plan. The developer will work on the requested information and bring it back for the Board's consideration at a later meeting. The topic was temporarily tabled for the present time.

2.) Fields at Indian Creek Preliminary Plan Approval

The developer shared with the Board of Supervisors that prior to the evening's meeting, the developer received preliminary plan approval from the Borough of Emmaus and Lower Macungie Township. Chairman DeVault stressed to the developer that he needs to see feedback from the Lehigh County Conservation District regarding the resubmission letter sent to them by the developer. Supervisor Sentner felt that, given the developer's obligation to fulfill the outstanding items within the letter from the Lehigh County Conservation District, preliminary plan approval can be granted. Supervisor Mohr also echoed Chairman DeVault's testament in that he too would like to see feedback from the Lehigh County Conservation District regarding the resubmission letter sent to them.

It was concluded by the Board of Supervisors that preliminary plan approval cannot be granted at this time due to a lack of adequate feedback from the Lehigh County Conservation District.

**NEW BUSINESS:**

1.) Resolution No. 2015-018 MOU (Memorandum Of Understanding) Lehigh County Conservation District

Manager, DeLong summarized the MOU. It's a document that memorializes how the Lehigh County Conservation District fits in to the various MS4 permits within Lehigh County. In the administrative order that the Township received last year from the EPA, one deficiency was what the Conservation District was doing was not all inclusive of what the Township's MS4 permit was to include, including: construction management, post constructive storm water management reviews, and associated storm water management. At this point the agreement meets both the State and Federal requirements and intent. If the Township would enter into a notification of the Conservation District that the Township would allow them to develop an agreement and more or less indicated that meeting the requirements the Township would enter into it. Everything is in order, the remaining item is the Board of Supervisors endorsing the final document.

Resident, Mr. Phil Casey asked if the Township would be abandoning the existing agreement the Township holds with the Lehigh County Conservation District. Manager, Delong clarified that the Township would be memorializing an agreement. The new agreement meets the State and Federal requirements, as well as explains what the Lehigh County Conservation District will do under the agreement. Chairman, DeVault further explained that the new agreement puts everything and everyone involved on the same page with the new requirements.

**MOTION:**

Supervisor Sentner made the motion to adopt Resolution No. 2015-018 MOU Lehigh County Conservation District. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

2.) PennDot Stockpile Lease Renewal

Supervisor Sentner read a letter he wrote to PennDot District 5. In summary, the letter summarized the poor winter maintenance by PennDot District 5 that occurred this past winter within the Township. Additionally, the letter addressed the urgency for a plan of action regarding the Indian Creek Road/Cedar Crest Boulevard intersection. Supervisor Sentner also stressed his dissatisfaction regarding the lack of communication from PennDot to the Township on multiple projects. Chairman DeVault voiced his agreement with Sentner's letter and mentioned a few other problem areas that arose along State roads during the past winter, as well as stressing infrastructure corrections needed along the Chestnut Street corridor.

Mr. Dustan Raines, district constituent outreach specialist to PA State Representative Justin Simmonns, addressed the Board of Supervisors and ensured them that he will look into the issues and see if he can get some coordination between PennDot and the Township.

Manager Delong summarized the lease proposal (i.e. the expiration, time of previous leases, and time of proposed lease). Does the Board of Supervisors want to pursue renewing the lease and negotiating the terms of the lease?

Resident, Mr. Phil Casey asked if the Township would be interested in a surety contract with the State instead of the current lease that exists. Supervisor Sentner stressed that the problem needs to be fixed and not to hold the State hostage by holding a surety contract over their heads. Casey also asked if the Township could work out a deal with the State that they provide the Township with salt as part as a new lease term.

After some deliberation from the Board of Supervisors a decision was made to table the discussion of the PennDot Stockpile Lease Renewal until further discussion between both parties of the lease agreement is complete.

**SOLICITOR'S REPORT:**

- 1.) Public Hearing for Agricultural Security Area – Mr. Nikolas Naidu

Solicitor Fisher summarized the property dimensions and location. The property is under consideration to be included in the Agricultural Security Area. The matter is not going to be debated by the Board of Supervisors at the evening's meeting, but will be at the next regularly scheduled BOS meeting, scheduled for April 2, 2015. Solicitor Fisher opened up the public hearing for public comment and/or questions.

Resident, Mr. Phil Casey asked if the property was proposed for commercial uses and if it goes to an Agricultural Security Area would those rights for commercial uses be abandoned? Solicitor Fisher clarified that it is his understanding that if the property is granted Agricultural Security Area status that all commercial plans would be withdrawn.

Having no further public comment, Solicitor Fisher closed the public hearing.

**DEP MODULES / SEWAGE PLANNING:** None

**PLANNING COMMISSION – OLD BUSINESS:** None

**PLANNING COMMISSION – NEW BUSINESS:** None

**SUBDIVISIONS – IMPROVEMENTS:**

- 1.) Tranquil Acres Subdivision Improvement Agreement one year time extension request letter from William Weber dated February 17, 2015

**MOTION:**

Supervisor Mohr made the motion to grant an extension of one year, contingent upon continued compliance with the improvements agreement, extension of the security through that period, and payment of any outstanding costs, if any. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

**CORRESPONDENCE:**

- 1.) Special Fire Police assistance request from Karen Brokate, Secretary of the Vera Cruz Community Association at various community events throughout the year

**MOTION:**

Supervisor Sentner made the motion to grant the request for Special Fire Police assistance at the events listed within the request form, only if the Special Fire Police are available. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

- 2.) Detour request from Edward Harry Jr., Chief of Police of the Macungie Police force, to use East Macungie Road in Upper Milford Township as a detour during this year's Memorial Day parade, scheduled for Monday, May 25, 2015 at 10:00 A.M.

**MOTION:**

Supervisor Sentner made the motion to grant the use of East Macungie Road as a detour route during this year's Memorial Day parade. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

**EXECUTIVE SESSION:**

The Board of Supervisors held an executive session for land related issues from 8:47 P.M to 8:52 P.M.

**OTHER ISSUES:** None

**REPORTS:**

Emmaus Library: Ms. Lisa Marten shared that under the guidance of the Allentown Art Museum, the Emmaus Library is participating in a weaving project, which is occurring over the Lehigh Valley. The event is held Monday afternoons from 2 – 4 P.M., now through June, 2015.

Township Emergency Management Coordinator: None

Recreation Commission: None

**Supervisors:**

**Robert Sentner** – indicated no report, however, he asked Brent Fegley if the rosters from both Fire Departments were nearing completion. Brent answered that the rosters would be complete by March 25, 2015. Sentner also thanked the Township's Public Works Department for all of their hard work during the winter storms over the past many weeks. Sentner is also requesting office staff and the Public Works Department to come together with a list of documented issues to discuss with PennDot.

**Daniel Mohr** – Indicated no report, however, he shared a personal story of a nasty phone call he received from his daughter regarding poor snow removal service, as they related to State roads.

**George DeVault** – Indicated no report, however, he shared a story about how his daughter-in-law and her baby got stuck in the snow while avoiding an accident during the last winter storm. He thanked the Vera Cruz Fire Department for aiding in clearing the accident and aiding in getting the vehicles unstuck.

Township Manager: Thanked Troop 31, Zionsville U.C.C. for attending the night's meeting and hoped they enjoyed themselves and learned something.

**ADJOURNMENT:** 8:56 P.M.

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George D. DeVault, Chairman

\_\_\_\_\_  
Date

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