

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

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

Meeting called to order at 7:42 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:

Regarding the Kohler Tract Major Subdivision Sketch Plan

Resident, John Peters of 4493 Mill Road expressed concerns over a lack of recreational space within the plan. There will be no place for kids to go and “blow off steam.” He said it would be a mistake to not provide adequate recreational space, and asked the Township to make them provide more space.

Resident, Raymond Jantzen of 4112 Mink Road expressed his concerns of a possible roadway connection from the proposed development to Chestnut Street.

Supervisor Sentner clarified that there is no proposed connection onto Chestnut Street.

Chairman DeVault clarified to the audience that the proposed plan is only a sketch plan and there will be numerous reviews and considerations along the way. He, along with the rest of the Board, is well aware of the concerns from the residents.

Resident, Edgar Hausman of 4160 Champagne Drive expressed his concerns of what the plans are to handle all of the extra water runoff from the proposed development.

Chairman DeVault and Supervisor Sentner answered that the developer will have to meet the State law requirements from the Department of Environmental Protection.

Solicitor Fisher again clarified for the audience that the proposed plan is only a sketch plan and the Board does not have specific information at this time to answer the very important questions and concerns regarding storm water runoff.

Chairman DeVault did express his personal concern regarding the storm water runoff as, he too, is a farmer.

Resident, Joseph Filipovits of 4015 Mink Road expressed his concerns of the additional storm water runoff will only worsen an existing problem of pooling water by the Trivet Family Restaurant.

Resident, James Krippe asked if the Township has considered realigning the Mill Road intersection at Shimerville Road if so much additional housing is being proposed. He is concerned that the extra traffic will worsen an existing issue of motorists not stopping completely at the intersection to begin with. He is concerned that if something is not done to better that intersection, given the proposed influx in traffic, it will be a mess.

Resident, Robert Schoenly of 4118 Robert Road asked what arrangements the developer will have to provide drinking water to the development and where is it coming from.

Manager DeLong answered that the Lehigh County Authority will bring public water main from Buckeye Road from Tank Farm Road to tie in with the Mink Estates existing water system, through the proposed development and tie in with the water system of the Borough of Emmaus.

Resident, Robert Schoenly of 4118 Robert Road raised concerns over the proposed traffic system/roadways giving access to the proposed development. He is concerned for the roadways during construction as well. He believes Robin Road will get very congested. People are liable to get struck by the influx in traffic.

Supervisor Sentner clarified that a traffic study will be performed to closely analyze the impacts of the roadway development.

Resident, Robert Schoenly of 4118 Robert Road asked if the Township has to pay for the traffic study.

Supervisor Sentner answered that the traffic study is the responsibility of the developer and all costs are covered by the developer.

Resident, Phil Casey asked if there will be sufficient public sewer capacity to handle the two (2) newly proposed developments (Fields at Indian Creek & Kohler Tract Major Subdivision Sketch Plan).

Supervisor Sentner answered that the Lehigh County Authority will analyze all sewer related components of the developments.

Chairman DeVault stressed that the question of sewer capacity is important and is one (1) of many important questions that will have to be answered along the way.

Lynn Sallash of 4509 Mill Road told the Board that she reviewed the Township's Official Map and the property in question is listed as public recreation/ open space. She asked if the Township has any negotiating ability to purchase the land, or stipulate the number of houses to lessen the density.

Solicitor Fisher clarified that the Board will have to make a decision on whether they want to purchase all, some, or none of the land in question.

Resident, Francis Caputo expressed his concerns about the proposed drinking water supply and fire hydrants, along with concerns of storm water runoff. He stressed that the storm water runoff is already bad in their community and feels that adding more homes will exacerbate the condition.

Resident, Robert Schoenly of 4118 Robert Road expressed his concerns over emergency response personnel (i.e. - Firefighters and Police) given the increase in residents with the proposed development. He asked if the Township will have to develop their own Police Department. He also expressed his dissatisfaction with the Pennsylvania State Police.

Supervisor Sentner stressed that the Pennsylvania State Police are the best law enforcement there is.

Chairman DeVault also praised the Pennsylvania State Police for their efforts.

Resident, Betty Wetherhold expressed her concerns about the possibility of many children moving into the neighborhood and getting into trouble given the lack of recreational area. She also expressed her dissatisfaction with the Pennsylvania State Police.

Chairman DeVault answered that the Board is trying to keep the big picture in focus. Recreational area will be important. They will look at the plans from all angles to keep the many concerns in mind.

A resident (unknown) was concerned about the high density of the proposed plan.

Resident, Evelyn Smith of 4144 Mink Road expressed concerns that the kids will be raising trouble in their back yards and woods.

Resident, Robert Schoenly of 4118 Robert Road expressed his gratitude to the Board for listening to their concerns. He said that this is a big decision for the Township and he pleaded to the Board to give the proposal a lot of thought.

Resident, Barbara Ebner of 4030 Mink Road asked how much the asking price is for the property in question.

Chairman DeVault answered that the Township has not been given a price at this time.

ACCEPTANCE OF MINUTES:

April 16, 2015 Workshop & Regular Meeting Minutes

MOTION:

Supervisor Sentner made the motion to approve the April 16, 2015 workshop & regular meeting 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's. **14680** to **14725** in the amount of **\$53,600.36**

PAYROLL FUND:

PLGIT XXXX7015 – Check No. **7313** in the amount of **\$123.43**

ESCROW FUND:

PLGIT XXXX7109 – Check No. **117** to **118** in the amount of **\$426.96**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer(s) #2015-025 to #2015-026

MOTION:

Supervisor Mohr made the motion to approve the payment of bills and the bank transfers as read. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

OLD BUSINESS:

1.) PennDOT Stockpile Lease

a. Resolution No. 2015-023 PennDOT Lease Offer

Manager DeLong summarized that the Resolution is authorizing the Township Manager to sign the lease agreement with PennDOT. The PennDOT lease agreement requires a person designated to enter into the agreement.

MOTION:

Supervisor Sentner made the motion to approve Resolution No. 2015-023. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

NEW BUSINESS:

- 1.) BOS Authorization for staff to bid or get quotes for road materials, pavement markings and surfacing

MOTION:

Supervisor Sentner made the motion to authorize staff to bid or get quotes for road materials, pavement markings and surfacing. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

- 2.) Open Burning Ban

Supervisor Sentner summarized that even though the Fire Departments do not want to implement an open burning ban he would like to discuss the possibility of implementing an open burning ban.

Chairman DeVault requested to have the topic of implementing an open burning ban to be included as a topic of discussion for the steering committee.

Resident, James Krippe, asked who is going to enforce the open burning ban if it is enforced.

Supervisor Sentner answered that the question of who will enforce an open burning ban will be discussed by the steering committee. He agreed with Chairman DeVault that the topic of an open burning ban should be the top priority for discussion by the steering committee.

- 3.) House Bill 782; if passed, will require all municipalities in Pennsylvania who use a Third Party Inspection Agency to contract with at least two agencies to provide inspection services in their municipalities. In addition, it mandates how municipalities conduct their procurement of professional services.

Manager DeLong summarized for the Board that House Bill 782 is a proposed State Law that will cause the Township extra money without any funding to aid in the cost, increase the prices of building permits, and increase administrative costs for covering the building permitting services.

Supervisor Sentner requested Township staff to write a letter on behalf of the Board of Supervisors to be sent to State Representatives stressing their 100 percent disapproval of proposed House Bill 782 and requesting they do not vote for it.

MOTION:

Supervisor Sentner made the motion to authorize Township staff to write a letter on behalf of the Board of Supervisors to be sent to State Representatives stressing their 100 percent disapproval of proposed House Bill 782. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

PUBLIC HEARING:

- 1.) Ordinance No. 140 & 141; Zoning and Subdivision and Land Development Ordinance Amendments; Public Hearing

Solicitor Fisher opened the public hearing and summarized Ordinance No. 140 and 141 for the Board. A public hearing will not be opened at this time for Ordinance No. 140, which would amend the Township Zoning Ordinance to delete all references to the term "open space development", all citations to any open space development, and anything in the Zoning Ordinance referencing open space development. Ordinance 141 would amend the Township Subdivision and Land Development to likewise delete all references to open space development. The purpose will be to remove all references to open space development and revise both Ordinances with a more correct revision in defining open space development.

Resident, Phil Casey asked what happens between currently and when the Township rescinds the Ordinance, there is going to be a moment of time until the Township comes back with a revised Ordinance. Does that (moment of time) open the door for developers to do something that they're not able to do now?

Solicitor Fisher answered that right now the developers can have open space development. Once the Ordinances are passed in a couple minutes from now, they simply can't execute open space development plans until the Township will allow them to do it.

Chairman DeVault asked if it will close any doors.

Solicitor Fisher answered that it would not. The intent is to revise and revamp the Ordinances in better form that makes more sense from a Township's perspective.

Resident, Phil Casey asked if there is a reason that this is all happening currently because of the two (2) large developments that are happening.

Solicitor Fisher answered that it does not affect anything to do with the Fields at Indian Creek because that plan preceded these proposed amendments. Currently, to the best of his knowledge, there does not exist any current plans for open space development.

Resident, Phil Casey asked who will affect them.

Solicitor Fisher answered that there are none right now.

Resident, Phil Casey asked can they make a plan that will have an effect on them.

Solicitor Fisher answered that potentially if there was a plan coming, but since that there are no plans coming, it is actually an ideal time to do it right now.

Solicitor Fisher, seeing no further comments and questions, closed the public hearing. He also summarized for the Board that he advertised for the Board to adopt Ordinance 140 and 141. The Ordinances have been dully and properly advertised and if the Board is so inclined they can take a roll call vote to adopt Ordinance 140 and Ordinance 141.

MOTION:

Supervisor Sentner made the motion to adopt Ordinance 140 and 141. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

ROLL CALL:

Supervisor Sentner, Supervisor Mohr, and Chariman DeVault answered, "Yes." Any questions or comments, all were in favor, and the motion carried unanimously.

SOLICITOR'S REPORT: Solicitor Fisher indicated no report.

DEP MODULES / SEWAGE PLANNING: None

PLANNING COMMISSION – OLD BUSINESS:

1.) Fields at Indian Creek

Chairman DeVault clarified that the Fields at Indian Creek was discussed during the May 7, 2015 Workshop meeting.

PLANNING COMMISSION – NEW BUSINESS:

1.) Kohler Tract 2 Lot Subdivision & Major Sketch Plan

Chairman DeVault clarified that the Kohler Tract 2 Lot Subdivision & Major Sketch Plan were discussed during the May 7, 2015 Workshop meeting.

2.) 4870 Raymond Ct. Land Development Plan Approval

a. Letter from UMT Planning Coordinator, Brian Miller, dated May 7, 2015.

Planning Coordinator, Brian Miller summarized the proposed addition for the Board. A small addition is proposed to the rear of the existing building. The addition

will also include a crane canopy. The entire proposed addition is over existing impervious coverage, so no new storm water controls will be required.

MOTION:

Supervisor Sentner made the motion to grant final plan approval for 4870 Raymond Ct., contingent upon Brian's letter, dated May 7, 2015. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

SUBDIVISIONS – IMPROVEMENTS: None

CORRESPONDENCE:

- 1.) Borough of Macungie request for Fire Police assistance.
 - a. Letter dated May 5, 2015.

MOTION:

Supervisor Sentner made the motion to grant the request for Station 19 Special Fire Police assistance at the events listed within the request only if the Special Fire Police are available and willing. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

EXECUTIVE SESSION:

An executive session was held from 8:18 P.M. to 8:32 P.M. to discuss personnel issues

OTHER ISSUES: None

REPORTS:

Emmaus Library: None

Township Emergency Management Coordinator: None

Fire Department: None

Recreation Commission: None

Supervisors:

Robert Sentner – Thanked Justin Simmons and Pat Browne for writing letters of recommendations for traffic improvements for Upper Milford Township. He also mentioned that the Yeakels Mill Road bridge is open and it looks great.

Daniel Mohr – Commented on his PSATS Conference experience at Hershey, PA. One of his classes, in particular, dealt with the dwindling fire companies. He received valuable information that he wants to pass along to Assistant Manager Haas to pass along to the forming Fire Company Steering Committee. His neighbor had a fire and he was thankful for the Vera Cruz Fire Company's assistance in putting out the fire.

George DeVault – Indicated no report.

Township Manager:

Dan DeLong - The Township received an executed copy of the Memorandum of Understanding from the Lehigh County Conservation District, which completes the paperwork for previously adopted Resolution 2015-018.

ADJOURNMENT: 8:36 P.M.

George D. DeVault, Chairman

Date

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