

UPPER MILFORD TOWNSHIP
BOARD OF SUPERVISORS
TOWNSHIP BUILDING, OLD ZIONSVILLE, PA 18068
OCTOBER 1, 2015 AT 7:30 P.M.
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors; George DeVault, Daniel Mohr, Robert Sentner; Asst. Township Manager, Timothy Haas; Treasurer, Jessi O'Donald; Solicitor, Marc Fisher

Meeting called to order at 7:34 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.

Chairman DeVault also addressed the audience regarding the Kohler Tract. He was delighted to see a full audience. He expressed that the Board knows many of the concerns that the residents hold regarding the topic, but that anyone who wishes to speak to share their comments in a brief and focused fashion.

PUBLIC INPUT: None

ACCEPTANCE OF MINUTES:

September 17, 2015 Workshop & Regular Meeting Minutes.

MOTION:

Supervisor Sentner made the motion to approve the September 17, 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 **15044** to **15072** in the amount of **\$37,639.09**

PAYROLL FUND:

PLGIT XXXX7015 - Check No **7321** in the amount of **\$138.46**

ESCROW FUND:

PLGIT XXXX7109 - Check No **122** in the amount of **\$2,000.00**

MOTION:

Supervisor Mohr made the motion to approve the payment of bills with a correction of the Payroll Fund amount total. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

OLD BUSINESS:

1.) Key Lock Box Ordinance (Update).

a. Report from Assistant Manager, Haas.

Assistant Manager summarized for the Board that the ordinance has been reviewed by both fire companies, Solicitor Fisher, and Township staff. It was advertised by Solicitor Fisher and will be ready for action at the next Board of Supervisors' meeting on October 15, 2015.

2.) False Fire Alarm Ordinance (Update).

a. Report from Assistant Manager, Haas.

Assistant Manager summarized for the Board that the ordinance has been reviewed by both fire companies, Solicitor Fisher, and Township staff. It is presently being reviewed a final time by Township staff before it will be sent back to Solicitor Fisher for advertisement, upon authorization from the Board.

3.) Kohler Tract (Discussion).

Supervisor Sentner summarized the proposals for the Kohler Tract and portrayed an estimated snapshot for the audience of what the costs to the Township would be for development vs. purchasing all, some, or none of the tract, as well as discuss through streets.

Chairman DeVault expressed to the audience that the property will be developed to some capacity, whether it is a park, houses, etc. It will not remain in open pasture, as it is presently.

Resident, Phil Casey shared that he believes that the Township could have acquired this property years ago, and now they would have to pay a premium. He asked how many parks/open spaces the Township needs. He asked about adjusting the lot size for the proposed development to lessen the density. He asked if it's possible to pull money from the Service Electric revenues to pay off the loan. He later asked the Board what their intentions are for purchasing the property. He also later brought up issues that arose over a property that was condemned.

Resident, Clifford Geist raised concerns of what the proposed development may do to his property value. He also asked if there's any way the public can know what the cost of the land is. He later asked what the plans will be regarding the drainage and storm water.

Resident, Lynn Sallash shared information regarding more students are coming into the school district than there are leaving the school district. She also shared that if the Township develops a park on the property the Township may want to talk to the Macungie Borough to see what their revenues are from the memorial park. She asked if condemning a property limits its use. She asked if the Township would buy the property would they be buying it from the Kohler family or Kay Builders.

Resident, Joyce McCrickerd expressed concerns regarding code inspection for the proposed houses as she shared that her house was constructed without insulated walls and live electric wires leading to nothing. She later asked if the Township purchased the property if it could be split to provide both a park and a nature preserve.

Resident, Kevin Servais mentioned that it was Kay Builders that constructed Ms. McCrickerd's house.

Resident, Frank Perz asked what the cost of the land is and if it's possible to subdivide and purchase some of the land.

Resident, William McCrickerd raised concerns of existing traffic volumes and is concerned that the proposed development will make their front street like a super highway. He also asked if a park was developed there would it have a curfew. He later asked if a developer can raise the asking price.

Resident, Jason Tapler asked what the tax increase will look like if the Township decides to purchase the property.

Resident, Gail Lichtenwalner summarized the Board what the present Township Real Estate Tax revenue is.

Resident, Barbara Ebner asked why the Township can't preserve the land if it's purchased by the Township.

Resident, James Maley expressed that years ago he thought the property was posted for agricultural security area.

Resident, Kenneth Debus asked if Mrs. Kohler's will was ever reviewed to see what her intentions were for the property. He later asked if the Township could review her will.

Resident, Francis Caputo shared that Mrs. Kohler did intend to give the property over to the Township as open space, but a lawyer talked her out of it.

Resident, James Krippe praised the Township for being proactive. He asked if the Township can find out through Mr. Ray Geiger what the line value is.

Resident, Harrison Nonnemacher asked if the Township has any idea of what other open properties of similar size has sold for. He later asked how many taxable properties there are in the Township. He thought it would provide a good way to assess what the possible tax increase would be.

Supervisor Mohr reminded the Board that the Township did attempt to purchase the property in the past. The Township did not purchase the property because it did not want to condemn the property. Now, given the proposed approach by the developer, he doesn't have any problems with condemning the property. (Audience applauded) He is concerned that the asking price of the property may be higher now than anyone expected.

Supervisor Sentner expressed to the audience that the Board is not interested in purchasing every property that ever goes up for sale, but this property is a prime property with water and sewer availability to allow the type of density to be put there.

Resident, Brandon (last name unavailable) asked how long the condemning process is.

Discussions ensued regarding the Township's options regarding purchasing and condemning.

Supervisor Sentner expressed that he will never condemn a property.

The Board of Supervisors and Solicitor Fisher answered the public's questions to the best of their abilities and legal parameters. The Board is continuing to weigh all options regarding the Kohler Tract.

Chairman DeVault thanked everyone for sharing their thoughts and concerns.

NEW BUSINESS:

- 1.) Zoning Hearing Board Vacancies.
 - a. Memo from Assistant Manager, Haas.

MOTION:

Supervisor Sentner made the motion to immediately appoint Mr. Bennett Kohler as a full member and appoint Ms. Dannell Macilwraith, Mr. Lawrence Butler, and Mr. Peter Lucier as alternate members to the Zoning Hearing Board. Supervisor Mohr seconded

the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

Mr. Bennett Kohler and Mr. Peter Lucier were in attendance and thanked the Board for appointing them to the Zoning Hearing Board.

SOLICITOR'S REPORT: Solicitor Fisher indicated no report.

DEP MODULES / SEWAGE PLANNING: None

PLANNING COMMISSION – OLD BUSINESS: None

PLANNING COMMISSION – NEW BUSINESS:

1.) Recommendation for requesting sidewalk on the proposed Chestnut Street Bridge over the Norfolk Southern Railroad.

a. Letter from Planning Coordinator, Brian Miller, dated September 30, 2015.

MOTION:

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

2.) Kohler Tract Minor Subdivision Time Extension

a. Letter from Planning Coordinator, Brian Miller, dated September 30, 2015.

MOTION:

Supervisor Sentner made the motion to grant the time extension per Brian's letter, dated September 30, 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 Emmaus Ambulance Corps 2016 Donation Request.

a. Letter from Emmaus Ambulance Corps' Chief, Jeff Hoffman, dated September 19, 2015.

The Board was in agreement to discuss the request during budget discussions.

EXECUTIVE SESSION: None

OTHER ISSUES: None

REPORTS:

Emmaus Library: None

Township Emergency Management Coordinator: None

Fire Department: None

Recreation Commission: None

Fire Company Steering Committee:

1.) September Call Report.

a. Report from Assistant Manager, Tim Haas.

Assistant Manager, Haas summarized the Fire Department's call reports from the month of September. Western District had five (5) calls. Citizen's Fire Company had 14 calls. The upcoming Steering Committee Meeting will be held on October 12, 2015 at 7 P.M.

Supervisors:

Robert Sentner – Thanked everyone for coming out to the meeting and being courteous. He also stressed to the audience to be safe during the upcoming storm.

Daniel Mohr – Advertised the Vera Cruz Halloween parade, scheduled for October 14 at 7 PM.

George DeVault – Thanked everyone for coming. Stressed to the audience to take it easy and play it safe with the upcoming storm.

A member of the audience asked to advertise the Vera Cruz Fire Prevention Open House craft show, scheduled for October 10, from 9AM – 2PM.

Resident, Todd Lagler requested information on flooding to be posted on the website.

ADJOURNMENT: 8:35 P.M.

George D. DeVault, Chairman

Date

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