

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
TOWNSHIP BUILDING, OLD ZIONSVILLE, PA 18068  
NOVEMBER 5, 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

Meeting called to order at 7:51 P.M.

Pledge of Allegiance to the flag.

**ANNOUNCEMENTS:**

- 1.) 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.
- 2.) There will be a Special Meeting of the Board of Supervisors of Upper Milford Township on Thursday, November 12, 2015 at 6:30 P.M. at the Township's Municipal Office, 5671 Chestnut St, Old Zionsville, PA. The purpose of the meeting will be to discuss the 2016 budget and for other purposes as the Board deems necessary.

**PUBLIC INPUT:**

Resident, Lynn Sallash shared with the Board that she is actively completing a petition asking the Township to purchase the Kohler Tract. She asked if the Board is close to making a decision.

The Board collectively expressed that there is a lot to still look at with the decision, but a petition can't hurt, especially if the petition includes resident's feedback who live miles away from the tract.

Resident, Barbara Hoff asked if the Board has considered putting the Kohler Tract into agricultural preservation.

The Board collectively responded that the Township does not own the tract and therefore cannot make such decisions.

Resident, Scott Bieber asked the Board to do what they can to purchase the Kohler Tract.

Resident, Francis Caputo shared with the Board that the Township's Open Space Committee is going to be hosting meetings to gauge resident feedback on the pending decision regarding the Kohler Tract.

Resident, Dennis Daly requested that the Township purchase the Kohler Tract and turn the space into a park because the traffic a park would create would be much less than the traffic a development would create.

**ACCEPTANCE OF MINUTES:**

October 15, 2015 Workshop & Regular Meeting Minutes.

**MOTION:**

Supervisor Sentner made the motion to accept the October 15, 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 **15108** to **15148** in the amount of **\$118,390.83**

**PAYROLL FUND:**

PLGIT XXXX7015 - Check No **7323** in the amount of **\$138.46**

**FIRST NIAGARA FUND:**

ACH Payment in the amount of **\$1,018.60**

**STATE LIQUID FUELS FUND:**

PLGIT XXXX7112 – Check No's **2616** to **2617** in the amount of **\$297,782.44**

**ACKNOWLEDGEMENT OF BANK TRANSFER(S):**

Transfer # 2015-051 to #2015-053

**MOTION:**

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

**OLD BUSINESS:** None

**NEW BUSINESS:**

1.) Confirmation of Citizen's Fire Co. Special Fire Police Member: Terry Schmeltzle.

Chairman DeVault confirmed Terry Schmeltzle as a Fire Police Member for Citizen's Fire Company.

Chairman DeVault steered the meeting to address Citizen's Fire Company. He thanked Citizen's Fire Company for their response to the Board's request for information. After sharing some brief history of firefighter volunteerism in Pennsylvania he continued to ask hypothetical questions: How are fire companies handling recruitment and retention, what is an acceptable level of training, what is an active member, what kind of fire coverage can the Township afford. He requested that the Fire Company Steering Committee look into getting answers to such questions. He finished by stressing that he does not want to treat one fire company different from another.

Supervisor Sentner expressed that something clearly happened to spark a mass exodus of volunteers. He asked the Chief of Citizen's Fire Company and the officers if they would be willing to talk to him to address rumors, apologize to those he may have done wrong by, and to have an open dialogue to discuss information he has received.

Assistant Chief, Jason Tapler responded that he does not have a problem with Supervisor Sentner's request, but that he does have a problem with an individual sitting up front that it has all started from.

Supervisor Sentner asked if he was referring to him.

Assistant Chief, Jason Tapler responded yes. He continued to express to Supervisor Sentner that his actions created a reaction and unfortunately his actions threw Citizen's Fire Company under the bus. He claimed that they did Supervisor Sentner's dirty work and now they are being crucified for it. He'll stand by all of those that remain at Citizen's Fire Company to answer the call.

Supervisor Sentner expressed that he wants to move forward with this.

Assistant Chief, Jason Tapler asked Supervisor Sentner to stop degrading the firefighters on Facebook.

Supervisor Sentner made it clear that he has never degraded the firefighters on Facebook, and again requested to sit down with Citizen's Fire Company to talk.

Citizen's Fire Co. Firefighter, Emily Fair reminded the Supervisors that two (2) recent letters of correspondence sent from Citizen's Fire Company invited the Board to attend their department meeting.

Supervisor Sentner expressed that he would have gladly attended but could not due to a commitment to a Planning Commission meeting.

Chief, Joseph Sherman asked why no one else could have attended. He continued by asking why the Township publically read letters sent to them from resigned firefighters, but failed to publically read their email of response. He feels that he can sit and talk to the other two (2) Supervisors right now, but not Supervisor Sentner.

Chairman DeVault expressed that the letters shared were not given any special treatment. Any correspondence sent to the Board is read publically. He was unfamiliar with the email being discussed.

President, Joe Mead responded that it was an email sent to Assistant Manager, Tim Haas.

Chairman DeVault again expressed that there was no special treatment given here. No one is out to get anybody.

Resident, Francis Caputo suggested that the Board should sit down with Citizen's Fire Company to discuss everything so that the residents of Upper Milford Township can continue to be safe. He expressed that the volunteers are doing a great job.

Supervisor Sentner again reminded everyone that Citizen's Fire Company answered the Board's concerns and he wants to move on, work together, and sit down and discuss what has happened.

Chairman DeVault noted that Tim will be in contact with the fire company to set something up.

Chief, Joseph Sherman reminded everyone that Citizen's Fire Company presently has 20 active members and they have never missed a call. If they did, they have a system of calling out to other fire departments if they are unable to respond to a call. He also said that he is always looking for additional volunteers.

Resident, Donna Reidenhour didn't want people thinking that the friction is between the two (2) fire departments because it's only occurring within one (1) fire department.

Resident, Mike Edmunds shared that it isn't the first time division has happened and occasional division is very common in fire departments. He was surprised that this has become a Township issue.

President, Joe Mead and Assistant Chief, Jason Tapler both expressed that the training between both fire departments is going well and there are no issues with the fire departments working with each other.

Resident, Frank Kuklis shared his opinion that all of what he sees going on seems to be a difference in personalities and suggested that the Board seek out a third party mediator to get to the bottom of everything and sort it all out.

Resident James Krippe expressed that he is available to act as a third party mediator.

Chairman DeVault thanked all of those from Citizen's Fire Company for coming to the meeting and for their dedication to the call. (Resident, Francis Caputo initiated and the rest of the room joined in applause for Citizen's Fire Company.)

Chief, Joseph Sherman thanked everyone, but again expressed his disapproval and grief over what transpired at the prior Board meeting.

2.) Resignation of Public Works Employee, Kenneth Arndt & Replacement Employee.

a. Memo from Township Manager, Daniel DeLong.

Manager, DeLong briefly summarized the situation of the Township's Public Works Department and the necessity for hiring an employee. The Board can either advertise for applicants or it is his recommendation to hire Karl Fegley Jr. at a rate of \$16.50/hr, including a six (6) month probationary period and requiring him to acquire a CDL within that same time period.

**MOTION:**

Supervisor Sentner made the motion per Manager DeLong's recommendation to hire Karl D. Fegley as a full time employee. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

3.) Resolution No. 2015 – 032

- a. Entering into an agreement to remove vegetative overgrowth at 4810 Main Road West.

Manager, DeLong summarized that the sight line at the intersection of German Road and Main Road West is obstructed by vegetative overgrowth. The work to be done will be executed from private property, requiring a temporary easement agreement.

**MOTION:**

Supervisor Sentner made the motion to adopt Resolution No. 2015-032. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

**SOLICITOR'S REPORT:**

1.) Ordinance No. 143

- a. An Ordinance requiring registration of certain fire alarm systems and imposing penalties for responses by a volunteer fire company in the event of false fire alarms and nuisance fire alarms.

Solicitor, Fisher briefly summarized that Ordinance No. 143 has been advertised for adoption and will be on the next regularly scheduled Board meeting for adoption.

**DEP MODULES / SEWAGE PLANNING:**

1.) Resolution No. 2015 – 031.

- a. Holding tank Permitting, Operations, & Maintenance Agreement for 5802 Chestnut St.

Planning Coordinator, Brian Miller summarized for the Board that a 1,500 gallon holding tank would be required for the operation of a proposed hair salon per current DEP regulations.

**MOTION:**

Supervisor Sentner made the motion to adopt Resolution No. 2015-031 for 5802 Chestnut Street. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

**PLANNING COMMISSION – OLD BUSINESS:** None

**PLANNING COMMISSION – NEW BUSINESS:**

- 1.) Time Extension for the Fields at Indian Creek lot line consolidation and the Fields at Indian Creek Major Subdivision.
  - a. Letter from Planning Coordinator, Brian Miller, dated November 4, 2015.

**MOTION:**

Chairman DeVault made the motion to grant the time extension. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

**SUBDIVISIONS – IMPROVEMENTS:** None

**CORRESPONDENCE:**

- 1.) Letter, dated Oct. 20, 2015, from Brent Fegley regarding Citizen's Fire Co. Personnel.
- 2.) Letter, received Oct. 21, 2015, from Mike Eremus regarding Citizen's Fire Co. Personnel.

Chairman DeVault did not publically read the above correspondence in fairness as he did not publically read the response letter from Citizen's Fire Company earlier in the evening.

**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.) October Call Report.
  - a. Report from Assistant Manager, Tim Haas.

Assistant Manager, Haas briefly thanked Citizen's Fire Company for their efforts in responding to the Township's recent requests. He summarized the Fire Department's call reports from the month of October. Western District had eight (8) calls. Citizen's Fire Company had 11 calls.

**WORKSHOP NEW BUSINESS (NOT COVERED DURING WORKSHOP MEETING):**

1.) Criminal Background Checking for Fire Police (Discussion).

Assistant Manager, Haas summarized the criminal background check requirements for firefighters. The Board can decide whether they want to receive copies of criminal background checks from all firefighters, including Fire Police. No decision was made at the meeting.

2.) 2016 Budget (Discussion).

Manager, DeLong reminded the Board that there is a Special Meeting to discuss the 2016 draft budget next week. It will represent a balanced budget without a tax increase, but with the Kohler Tract decision outstanding.

Supervisors:

**Robert Sentner** – Indicated no report.

**Daniel Mohr** – Indicated no report.

**George DeVault** – Indicated no report.

Township Manager:

**Dan DeLong** – Indicated no report.

**ADJOURNMENT:** 8:40 P.M.

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George D. DeVault, Chairman

\_\_\_\_\_  
Date

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