

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
December 29, 2016 at 7:30 P.M.
REGULAR MEETING MINUTES

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

Call meeting to order at 7:33pm

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.

The Board of Supervisors held an executive session on Wednesday, December 14, 2016 from 1pm to 4pm at the Upper Milford Township Building for personnel matters.

The Board of Supervisors held an executive session on Thursday, December 29, 2016 from 7:00pm to 7:30pm at the Upper Milford Township Building for personnel matters.

PUBLIC INPUT: NONE

ACCEPTANCE OF MINUTES:

December 1, 2016 Workshop and Regular Meeting Minutes

MOTION:

Supervisor Sentner made the motion to accept the December 1, 2016 Workshop and Regular Meeting 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 DECEMBER 15th, 2016 PER RESOLUTION NO. 2011-031:

GENERAL FUND:

PLGIT XXXX7096 - Check No's 16126 to 16161 in the amount of \$43,746.23

PAYROLL FUND:

PLGIT XXXX7015 - Check No. 7344 in the amount of \$144.84

STREETLIGHT FUND:

PLGIT XXXX7125 - Check No's 133 in the amount of \$100.00

MOTION:

Supervisor Mohr made a motion to Ratify the bills paid December 15th due to the cancellation of the Board of Supervisors Meeting. Supervisor Sentner 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. **16162** to **16198** in the amount of **\$56,996.36**

ACKNOWLEDGEMENT OF BANK TRANSFER(S):

Transfer No's. 2016-077 to 2016-082

MOTION:

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

OLD BUSINESS:

- 1.) Ordinance No. 149; Open Space Tax

MOTION:

Supervisor Sentner made the motion to adopt Ordinance No. 149 to establish the Open Space Tax as approved by referendum on November 8th 2016. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

- 2.) Resolution No. 2016-035; Fire Companies Grant

Supervisor Mohr expressed that he was against the resolution. He explained that he felt the money should just be split between the Fire Companies.

Supervisor Sentner expressed that he felt the Resolution was a good compromise.

MOTION:

Supervisor Sentner made a motion to approve Resolution 2016-035. Supervisor DeVault seconded the motion. Any questions or comments, Supervisors DeVault and Sentner were in favor, Supervisor Mohr opposed, motion carried.

- 3.) Adoption of Upper Milford Township 2017 Budget
 - a. Memo from Manager DeLong

Memo from Manager DeLong suggested a compromise on the Fire Company grant so the Township could move forward with the 2017 budget. The VRT certification was removed from Resolution 2016-035 and the money was left in the line item to be assigned by the BOS at a later date.

MOTION:

Supervisor Sentner made a motion to adopt the 2017 Budget as advertised. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, and the motion carried unanimously.

- 4.) Resolution No. 2016-036; Real Property Tax for 2017

MOTION:

Supervisor Sentner made a motion to approve Resolution 2016-036 for the Real

Property Tax Millage rate for 2017. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

- 5.) Authorization to engage the services of American Legal Publishing Corporation to codify all Upper Milford Township's code of ordinances.
 - a. Memo from Manager DeLong

Memo from Manager DeLong highlighted codification quotes gathered by Timothy Haas. Manager DeLong recommended the BOS accept the base quote of \$9,950.00 from American Legal Publishing based on their quality of sample products and recommendations from fellow municipalities.

MOTION:

Supervisor Sentner made a motion to authorize staff to enter into a contract with American Legal Publishing Corp. to codify all Upper Milford Township's code of Ordinances for the base quote amount of \$9,950. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carries unanimously.

NEW BUSINESS:

- 1.) Approval of the 2017 Library Agreement.

MOTION:

Supervisor Sentner made the motion to accept the Emmaus Public Library agreement for 2017. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

- 2.) Resolution No. 2016-038 - Setting Misc. Tax Collector Service Fees
 - a. Memo from Tax Collector Gail Lichtenwalner

Memo from Tax Collector Lichtenwalner requested the charges for Tax certifications remain at \$20.00, while increasing NSF check charge to \$25.00 and Duplicate bills to \$3.00.

MOTION:

Supervisor Sentner made the motion to approve Resolution No. 2016-038 to set Miscellaneous Tax Collector service fees. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carries unanimously.

- 3.) Crossley Lease of the Fulmer Fields – Discussion

Memo from Treasurer O'Donald stated that Mr. Crossley asks if the BOS would consider extending the terms of the farming lease for the Quarry Dr. property to 3-5 years instead of the current year to year agreement so he could plan and invest more in the soil to gain a better yield per acre.

Supervisor DeVault agreed that a longer term would be beneficial but wanted to hear Mr. Crossley's soil improvement plan.

Manager DeLong agreed to speak to Mr. Crossley and possibly have ask him to attend a Supervisor's meeting.

4.) Agricultural Security Area proposal recommendations
 - a. Memo from Planning Coordinator, Brian Miller, dated December 29, 2016

Memos from Planning Officer Miller recommended properties at 6001, 6071 and 6072 Vera Cruz Rd be included into the Agricultural security Area by both the

Planning Commission and the Agricultural Security Board.

Solicitor Fisher included this into his report below.

SOLICITOR'S REPORT:

1.) Ordinance No. 150; Rules and regulations for the Harold G. Fulmer Nature Preserve

MOTION:

Supervisor Sentner made a motion to adopt Ordinance No. 150 Rules and Regulations for the Harold G. Fulmer Preserve. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

2.) Public Hearing for Agricultural Security Area:

a. Cletus and Carol Landis to add 6001 Vera Cruz Road, PIN 549350700213 1, 22.1302 acres and 6072 Vera Cruz Road, PIN No. 549249588911 1, 4.3 acres to the Upper Milford Township Agricultural Security Area.

b. Jayne Fogle to add 6071 Vera Cruz Road, PIN 549259220234 1, 23.58 Acres to the Upper Milford Township Agricultural Security Area.

There was no public input in regards to the Agricultural Security Area inclusions.

3.) Resolution No. 2016 – 037; Inclusion of 49.48 +/- acres of land into the Upper Milford Township Agricultural Security Area (6001 Vera Cruz Road, 6071 Vera Cruz Road, and 6072 Vera Cruz Road).

MOTION:

Supervisor Sentner made a motion to approve Resolution 2016-037 including property parcels located at 6001, 6071 and 6072 Vera Cruz Road into the Agricultural Security Area. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

4.) Resolution No. 2016-039; Deed of Dedication of partial roadway right-of- way for Bleiler Road and Church View Road

MOTION:

Supervisor Mohr made a motion to approve Resolution 2016-039 the Deed of Dedication of partial roadway right-of-way for Bleiler Rd and Church View Rd. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS:

1.) Lower Macungie Zoning and SALDO amendments
a. Letter from Planning Coordinator, Brian Miller, dated December 29, 2016

MOTION:

Supervisor Sentner made a motion to have staff mail Planning Coordinator, Brian Miller's letter of Thanks to Lower Macungie Township. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

SUBDIVISIONS – IMPROVMENTS:

- 1.) Kay Builders request for letter of credit release number 3.
 - a. Memo from Manager DeLong dated 12-27-2016

There was a brief discussion verifying the total original amount of the Letter of Credit.

MOTION:

Supervisor Sentner made a motion to approve letter of credit Release number three for Kay Builders for the amount of \$237,305.12 as stated in Manager DeLong's memo supported by Engineer Ott's letter. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, the motion carries unanimously.

CORRESPONDENCE:

- 1.) Letter from Upper Milford Township Western District Fire Company

Supervisor DeVault summarized the letter and there was no further comment.

PUBLIC INPUT: Emily Fair questioned the reimbursement of Western District's Training expenses.

EXECUTIVE SESSION: If needed.

REPORTS:

Emmaus Library: Lisa Martin explained that the Library Staff is excited to welcome their new director on January 3rd. They are also thankful for the Township's support with the Library agreement.

Fire Companies: Chief Sherman announced that April 1st Citizens Fire Company is again installing smoke detectors in the area of Cozy Corner and South Mountain.

Jason Tapler explained that Citizens Fire Company will turn in a report about training hours.

Recreation Commission: None

Supervisors:

George DeVault – None
Daniel Mohr – None
Robert Sentner –None

Township Manager:

Dan DeLong – Manager DeLong explained that Mr. Naidu turned in a letter at the very end of the day. Mr. Naidu's letter stated that he was withdrawing his Land Developments and Subdivision Plans: Old Zionsville Village Center I & II, Schreiber Subdivision, Schreiber Circle Subdivision, Schreiber Court And Schreiber Court Phase II Subdivisions. The Board acknowledged Mr. Naidu's action.

ADJOURNMENT:8:32pm

OLD BUSINESS:

1. Indian Creek Industrial Park Subdivision:
 - a. Letter dated 01/31/07 from the Planning Commission recommending Preliminary Plan Approval contingent upon Township Engineer comments in their review letter dated 01/25/07. (This approval is granted an extension until June 30, 2017)
2. Estates at Maple Ridge Subdivision:
 - a. Contingent Preliminary Plan approval will expire 8/7/2018. (Contact developer 4/1/2018.)
3. Fields at Indian Creek Contingent Preliminary Plan Approval.
4. Fields at Indian Creek Phase 1 Contingent Final Plan Approval.
5. Recreation Commission request to update the 2004 UMT Park, Recreation, Open Space, & Environmental Plan; Survey.
7. Seedway Improvements Agreement

END AGENDA PART II:

Chairman

Date

Secretary