

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
March 16, 2017 at 7:30 P.M.
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors, George DeVault, Daniel Mohr, Robert Sentner; Assistant Manager, Bud Carter; Planning Coordinator, Brian Miller; Secretary/Treasurer, Jessi O'Donald; Township Engineer, Jeffery Ott; Solicitor, Marc Fisher

Meeting called to order at 7:34 pm.

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:

Jason Tapler ask if there was a way to getting any type of sign for the end of Chock Rd. He has had trouble with people following their GPS and them thinking Chock is Main Rd. These people have gotten stuck in his driveway and have made ruts in the yard as they turn around up near his house. He had a 40' box truck turn around in the driveway. He stated that his property was the [old Keller Tract] and he claims he was made to put his drive into Chock Rd and not out to Main Rd. He is requesting a No Outlet sign. He stated that a Stop sign was never put in at the end of the driveway from the old plan in 1970.

Supervisor DeVault noted that it would be looked into.

Phil Casey commented that PennDOT did a very bad job clearing Vera Cruz Road.

Supervisor Sentner commented that he felt it was the operator in the truck since route 29 was cleared very well.

Supervisor Mohr stated that the road in front of the PennDOT maintenance office was as horrible as Vera Cruz Road. He agreed Vera Cruz Road was very bad.

ACCEPTANCE OF MINUTES: -

Acceptance of March 2, 2017 workshop and regular meeting minutes.

MOTION: Supervisor Sentner made a motion to accept the March 2, 2017 workshop and regular meeting minutes as presented. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. 16347 to 16380 in the amount of \$60,751.70

PAYROLL FUND:

PLGIT XXXX7015 – Check No.7346 in the amount of \$96.56

STREET LIGHT FUND:

PLGIT XXXX7125 – Check No. 1293 & 1294 in the amount of \$2,416.98

ACKNOWLEDGEMENT OF BANK TRANSFERS:

No. 2017-014 to 2017-018

MOTION: Supervisor Mohr made a 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, motion carried unanimously.

OLD BUSINESS:

- 1.) Crossley Lease of the Fulmer Preserve
 - a. Memo from Secretary/Treasurer, Jessi O'Donald

Memo from Jessi O'Donald stated that Mr. Crossley is agreeable to contacting the Penn State Extension and the Conservation District for further suggestions. Mr. Crossley ask the Board to continue with a one year lease while this new information is being looked into.

MOTION: Supervisor Sentner made a motion to enter into a one year lease between the Township and Mr. Crossley to farm the Fulmer Preserve until April 1, 2018. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

SOLICITOR'S REPORT: None

NEW BUSINESS:

- 1.) Resolution No. 2017-024.
 - a. Ratification and Confirmation of Snow Emergency Declaration.

Motion: Supervisor DeVault made a motion to approve Resolution No. 2017-024. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

- 2.) Raymond Street No Parking zone from Winfield to Grace- Approval
 - a. Memo from Assistant Manager, Bud Carter

Assistant Manager Carter's memo addressed the concern on Raymond Street of not having enough room for the plow trucks to clear that section of street during winter storms. It suggested that an Ordinance be created to post and enforce a no parking zone in this area.

Todd Lagler confirmed that they could not get a large plow truck through. They needed to take the pick-up truck through.

Supervisor Mohr stated he took a complaint that Raymond wasn't plowed until a pick-up truck came through the truck.

It was questioned if this was because of the garbage truck. The Board was told it was from the garbage truck and garbage that encroaches the street.

MOTION: Supervisor Senter made a motion to direct staff to create an Ordinance to post and enforce a no parking area on Raymond Street between Winfield and Grace. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

PLANNING COMMISSION – OLD BUSINESS: -

- 1.) Chestnut Street Wellness Center, Contingent Plan and Waiver Request and Approval
 - a. Letter from Brian Miller

The Planning Commission reviewed the Chestnut Street Wellness Center Land development at their meeting on February 27, 2017. This Land Development proposes the conversion of the existing former gift shop into Doctors' Offices along with the removal of the former tea room and adding to the gift shop building. The Planning Commission recommended the approval of waivers and deferrals as listed in an attached letter dated November 9, 2016 revised January 11, 2017 from Alan R. Fornwalt P.E. of Keystone Consulting Engineers.

Waivers:

- 1.) §502.A. Preliminary Plan Submission.
The developer is requesting allowance to submit plan as Preliminary/Final
- 2.) §1007-Recreation Area and Fees
No residential development is proposed. Applicant requests a waiver of this SALDO requirement
- 3.) §503.C.D Existing Resources and Site Analysis Map. Preliminary Plan requirements. Sections: §503.C.D.8, §503.C.D.9, §503.C.D.10
Applicant is not proposing to dedicate open space, therefore requests a waiver to the preliminary plan requirements.
- 4.) §603.C.D Existing Resource and Site Analysis Map Final Plan requirements
Applicant is not proposing to dedicate open space, therefore requests a waiver to the final plan requirements.
- 5.) §1011.B.3 Stormwater and Utility Easement
Asking for width of easement to be reduced to 7 feet along the rear of the property line in the location of the building.

MOTION: Supervisor Senter made a motion to grant waivers 1,2,3,4 and 5 as requested above and recommended by the Planning Commission. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

- 6.) §1020.A.2 Permanent Monument Types
Applicant has set iron pins instead of concrete given that the right-of-way dedication is deferred until the completion of the adjacent bridge project.

MOTION: Supervisor Senter made a motion to granted waiver 6 as a deferment until completion of PennDOT Bridge project or June 1, 2020 whichever shall first occur. At that time the pins need to be replaced with concrete monuments. Supervisor Mohr seconded the motion. Any questions or comments, Supervisor Senter and Mohr were in favor, Supervisor DeVault was opposed, motion carried.

Deferrals:

7.) §1004.L.3.B Existing Street with insufficient Right-of-Way.

Applicant request permission to defer Right-of-Way until after the completion of the PennDOT Bridge. This request was withdrawn.

8.) §1015.A. – Sidewalks

Applicant request permission to defer right of way dedication until 12 months after completion of PennDOT bridge project.

MOITION: Supervisor Sentner made a motion to differ the pathway with the contingency that security is posted and the path is completed at the completion of the PennDOT bridge project or June 1, 2020 whichever shall first occur. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

9.) § 1019.A. Street Trees

Applicant is requesting deferral of this SALDO requirement until adjacent roadway improvements and PennDOT Bridge is completed.

Motion: Supervisor Sentner made a motion to approve planting the street trees to the specification of staff to be installed by the completion of the PennDOT bridge project or June 1, 2020 whichever shall first occur. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

10.) § 503.C.I-Requirement to provide Stormwater Management Plan

This deferral was withdrawn as this plan submission is exempt from Stormwater Regulations.

The Planning Commission also reviewed concerns over the future proposed turning lane from the north Bound Chestnut Street onto Allen St along with the movement of traffic in and out of the proposed development. The Planning Commission recommended approval for the Land Development contingent on the Boards approval of the waivers and deferrals, approval from all outside agencies, addressing all items in the Township Engineers letter, payment of all outstanding fees and working with the neighboring property owner to align the driveway with Allen Street.

Motion: Supervisor Sentner made a motion to grant contingent final approval with the agreement of prior approved waivers and deferrals, compliance with approvals from all outside agencies, addressing all items in the Township Engineers letter dated February 23, 2017, payment of all outstanding fees, posting of security for all improvements including those granted with deferrals, execution of an acknowledgement of a formal written agreement with the developer. Supervisor Mohr seconded the motion. Any questions or comments, Supervisor Sentner and Supervisor Mohr were in favor, Supervisor DeVault was opposed, motion carried.

PLANNING COMMISSION – NEW BUSINESS:

1.) Margaret M. Brady-Nallo and Hope Bender Boundary Line Adjustment-Approval
a. Letter from Brian Miller

At the February 27th meeting the Planning Commission reviewed the Margaret M. Brady-Nallo & Hope Bender Boundary Line Adjustment. This adjustment involves a total of .13545 Acres to be transferred from the Nallo property to the Bender Property.

The Planning Commission recommended approval contingent on addressing a typographical error on the plan. Since that meeting the error has been corrected.

MOTION: Supervisor Sentner made a motion to approve the Boundary Line Adjustment plan for the Margaret M. Brady-Nallo and Hope Bender properties. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

CORRESPONDENCE: -

1.) Letter from Seedway

The letter from Seedway asks the Board of Supervisors for assistance in dealings with the adjacent property at 5881 Vera Cruz Rd. Seedway states that the property is in a great state of disrepair.

Solicitor Fisher said he would look into this with Zoning Officer Alan Brokate.

EXECUTIVE SESSION: Not Needed

OTHER ISSUES: - None

REPORTS:

Emergency Services Report: Report is posted to the Township website.

FIRE COMPANIES:

Jason Tapler questioned the fire hydrants in The Fields at Indian Creek. He wanted to know that the hydrants are working and that the non-working hydrants are covered.

Brain Miller confirmed that the four hydrants that are installed are working.

Supervisor Sentner questioned the pressure on Glenwood Dr. He asked who was notified if and when there was a concern with a hydrant.

Emmaus Library: No Report

Township Emergency Management Coordinator:

Bill Stahler – Absent

James Krippe-Deputy- Reported that the Steering Committee met on March 15. It was decided they would have a few informal meetings to decide the direction and set up of the committee. Questions that were presented:

-Will the Supervisors be giving any input as to what they want Steering Committee to discuss?

-What is the intended goal of the committee?

-Will the Steering Committee be recognized as an official committee of the Township and will the Supervisors listen to recommendations?

Jason Tapler stated that he wants to know if they go to the meeting, is the input going to be listened to or not? The officers have been having meetings that he feels have been

productive. He doesn't feel that all firefighters or the public should be included in preplanning or post call discussions.

James Krippe stated that he knows fire scene can be chaotic and the Steering Committee gives the opportunity to preplan and go over concerns as a group and not individual companies.

Supervisor Sentner explained that they will listen to the recommendations but cannot always guarantee that the Board will approve everything. There are times where committees recommend items and the Board makes a different decisions because they have too. By handing the Steering committee off to EMA the Supervisors are not involved and all local EMS should be included in conversations for preplanning and communications between departments.

Supervisor DeVault stated that the input from the Steering Committee would be taken seriously.

James Krippe stated there was also a question if there would a conflict with him being EMA for Emmaus and Upper Milford. The answer was, there is no conflict since more than likely both communities would be involved in the event of an emergency needing EMA.

Recreation Commission: No Report

Supervisors:

Daniel Mohr – No Report

Robert Sentner – Township crew did a great job on storm clean up.

George DeVault – restated that the crew did a great job.

Township Manager:

Dan DeLong – Absent

Assistant Manager:

Bud Carter- No Report

ADJOURNMENT: Meeting was adjourned at 8:52 pm

Chairman George DeVault

Date

Secretary/Treasurer Jessi O'Donald