

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
August 3, 2017 at 7:30 P.M.
REGULAR MEETING MINUTES

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

Meeting was called to order at 7:45 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.

Please join us in a moment of silence to honor the passing of Zoning Hearing Board, Open Space Committee member and longtime Township resident Fran Caputo who passed last week.

PUBLIC INPUT: Mr. Robert Dennis resides at 4932 South 5th Street. He expressed his concern in regard to the Logging permit application for the property at 4930 South 5th St. He is concerned that the application is incomplete and has left out vital information in regard to the environmental impact on the steep slope and water sources on the subject property.

Planning Coordinator Brian Miller explained that the conservation district does a site walk through for these permits and the Right to Farm law takes precedence. The Planning Commission is allowed to review Logging permits but does not approve or deny them. The Zoning Officer interprets the regulations and the Conservation District has given their approval.

ACCEPTANCE OF MINUTES:

Acceptance of July 20, 2017 workshop and regular meeting minutes.

MOTION: Supervisor Sentner made a motion to approve the Workshop and Regular meeting minutes from the July 20th, 2017 meeting. 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.16737 to 16778 in the amount of \$122,551.18

PAYROLL FUND:

PLGIT XXXX7015 – Check No. 7352 in the amount of \$212.48

STREET LIGHT FUND:

PLGIT XXXX7125 – Check No. 1303 and 1304 in the amount of \$2,259.46

KeyBank General Fund:

Account 8695 – Check No. 21360 in the amount of **\$87.40**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

No.'s 2017-047 to 2017-050

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: - None

SOLICITOR'S REPORT: None

NEW BUSINESS:

- 1.) Appointment of Emergency Service Committee Resident Members
 - a. Memo from Assistant Manager Bud Carter

Memo from Assistant Manager Bud Carter asked the Board for appointments to the Emergency Services Committee of Thomas Carl to serve a Three year term, Timothy Anger to serve a two year term, and Joseph Terrible to serve a one year term.

MOTION: Supervisor Sentner made a motion to approve the appointments to the Emergency services committee as suggested in Assistant Manager Bud Carter's memo dated July 26, 2017. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

- 2.) Setting of meeting dates for Emergency Services Committee
 - a. Memo from Assistant Manager Bud Carter

Assistant Manager, Bud Carter's memo dated July 31st, 2017 requests the dates of Tuesday September 12th and Tuesday October 10th at 7:00 pm for the first two meetings of the Emergency Services Committee.

MOTION: Supervisor Sentner made a motion to approve September 12th and October 10th, 2017 at 7:00 pm and direct staff to advertise for the Emergency Services committee meetings. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

- 3.) Lawrence Butler; Letter of Resignation from the Zoning Hearing Board.
 - a. Letter from Lawrence Butler

Mr. Lawrence Butler submitted a letter to the Board of Supervisor's resigning from the Township's Zoning Hearing Board.

MOTION: Supervisor Sentner made a motion to accept Lawrence Butler's resignation from the Zoning Hearing Board and thank him for his service. Supervisor Mohr seconded the motion. Any question or comments, all were in favor, motion carried unanimously.

- 4.) Zoning Hearing Board member appointments.
 - a. Memo from Manager Daniel DeLong

Memo from Manager Dan DeLong asked that the board appoint Ms. Dannel MacIlwraith as a regular member to a term expiring on December 31, 2021. Appoint John Zgura as a regular member with a

term expiring on December 31, 2019 and announce that the Township has three vacant Zoning Hearing Board Alternate positions open to be filled.

MOTION: Supervisor Sentner made a motion to approve appointments as outlined in Manager DeLong's memo dated July 31st, 2017 and seek Alternate Zoning Hearing Board members, along with offering Zoning education as appropriate. Supervisor Mohr seconded the motion. Any question or comments, all were in favor, motion carried unanimously.

- 5.) Stop Sign at Dillingersville Rd and Rail Road Crossing
 - a. Memo from Manager Daniel DeLong

Memo from Manager Dan DeLong asks the Board of Supervisors to consider the installation of Stop signs at the Rail Road Crossing on Dillingersville Road in accordance with the manual of Uniform Traffic Control Devices, as this crossing has limited sight distances.

A brief discussion ensued as to the concerns and traffic speeds at this crossing.

Motion: Supervisor Sentner made a motion to direct the Solicitor to draft an Ordinance to implement the Stop Signs at the rail road crossing on Dillingersville Road.

Supervisor Mohr questioned if all the rail road crossings should have these stop signs due to sight distance. The Rail Road Bucks are Stop signs that people do not stop at as they should. He wondered if the grade is fixed motorists will just go faster.

Phil Casey asked if the stop signs will have the Township take on the liability instead of the Rail Road along with the cost of placing the signs. Maybe the Township should request the Rail Road to repair the faulty grade at those crossings.

Supervisor Sentner asked the cost of the stop signs. He then ask if there is a liability concern if we do not place stop signs at all three crossings.

Solicitor Fisher stated the as long as there is a reason to not place a sign then liability is limited.

[Supervisor Sentner retracted his original motion.]

MOTION: Supervisor Sentner made a motion to direct staff and the solicitor to create the ordinance and place stop signs at all Township Rail Road crossings without lights. Supervisor Mohr seconded the motion. Any question or comments, all were in favor, motion carried unanimously.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS: - None

SUBDIVISIONS – IMPROVEMENTS: -

- 1.) Approval for Fields at Indian Creek security release number 4 for Phase 1.
 - a. Correspondence from Township Engineer, Jeffery Ott

Engineer Jeffery Ott stated that in his letter dated July 26th, 2017 recommended credit release number four for Phase 1a for \$109,001.48.

MOTION: Supervisor Sentner made a motion to approve Fields at Indian Creek Phase 1 credit release number 4 as per Engineer Jeffery Ott's letter dated July 26, 2017 for the amount of \$109,001.48. Supervisor Mohr seconded the motion. Any question or comments, all were in favor, motion carried unanimously.

CORRESPONDENCE: - None

EXECUTIVE SESSION: Not Needed

OTHER ISSUES: -

1.) Supervisor Sentner asked to discuss the emergency access road from Chestnut Street into the Fields at Indian Creek. The agreement of resolution no. 2016-020 discusses the Emergency access road.

A conversation of this topic ensued.

Phase 1B and 2 preliminary plan approval was conditional on a few items, one of the items was the emergency access road. The fire companies were out there today and they had a few concerns that were supposed to be taken care of. The Fire companies have planned to take trucks out there on Monday and run the road to see if they can get in.

Supervisor Sentner stated this is typical of the builder and he is tired of them not following the agreements set forth. He questioned their use of compacted soil on this road. He also questioned the Highway Occupancy Permit specifications.

Township Engineer, Jeffery Ott stated they used shale for the base and it doesn't meet the requirements of Township road ballast, along with possibly not being at the correct grade. The Access Road from Daylily Dr to the House & Barn Restaurant is not supposed to be temporary. That was supposed to be completed as per the design engineers plan. The Township may want some assurance the road is built per plan.

Solicitor Marc Fisher stated that the agreement was contingent upon certain items and one of those was the Emergency Access Road completion as of August 2nd 2017. Roads have to be built to standards and if they are completed satisfactorily then they need to be ripped out until they are correct. That literally means the agreement is in violation and a course of action can be to instruct Zoning not to issue any more built or occupancy permits in Phase 1A until the Road is constructed.

Manager DeLong asked everyone to keep in mind that the sewer, water and stormwater items still have to be constructed and the road will have to be ripped up to construct those items. The improvements for the development are in phase 3, 4 and 5 which they do not have approval on yet.

Township Engineer, Jeffery Ott asked if the intent of the motion is to require the installation of emergency access according to plan with all fittings, signs, gate, etc. The approved plan shows three pipes end walls paving from House & Barn to phase 1 boundary along with other items.

Motion: Supervisor Sentner made a motion to halt the issuance of Occupancy permits and building permits in Phase 1 A due the developer's failure to complete construction of Access road 1 from Chestnut St to Phase 1 by August 2, 2017 as per Resolution 2017-020. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

Motion: Supervisor Sentner made a motion to direct staff to issue a cease and desist order for any and all work in Phase 1B and 2 until the completion of construction of Access Road 1 from Chestnut St to Phase 1. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

2.) Manager DeLong reported that there were no bids received on the 3641 Main Road property. He asked the Board how they would like to proceed and suggested that it be advertised with no minimum bid price to see what comes in, keeping in mind that the Board may reject all bids if they are not happy with the bid offers.

MOTION: Supervisor Sentner made a motion to direct staff to advertise the property at 3641 for bid with no minimum bid price set. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

REPORTS:

Emergency Services Report: Posted on the Website

FIRE COMPANIES: Station #19 has breakfast from 7:30 to 1pm on Sunday.

Emmaus Library: More than 70 kids and adults participated in Harry Potter's Birthday. Summer Reading program has attracted 400 kids who have read a total of 1137 hours and 250 adults. There will be programming classes. Details are on the Library's website.

Township Emergency Management Coordinator:

Bill Stahler – Absent

James Krippe-Deputy- Jim stated that he and Bill would be participating in the planning of the Buckeye Drill August 21st and the drill is scheduled for September 23rd.

Recreation Commission: No Report

Supervisors:

Daniel Mohr – Vera Cruz Homecoming needs volunteers. They are also helping to honor the Fire Company's 75th Anniversary. The programs are out now.

Robert Sentner – Asked if Todd Lagler was the only public works member that doesn't run with a fire company. Todd agreed to volunteer.

George DeVault – No report

Township Manager:

Dan DeLong – No report

Assistant Manager:

Bud Carter – No Report

ADJOURNMENT: Meeting was adjourned at 8:53 pm

Chairman George DeVault

08/17/2017
Date

Secretary/Treasurer Jessi O'Donald