

UNAPPROVED MINUTES

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

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

Meeting was called to order at 7:30 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 his or her name for the record and address the Board of Supervisors.

PUBLIC INPUT:

Paul Sarver Jr. 6575 Vera Cruz Road South: Mr. Sarver presented a map of his property along with the DeWire's property lines. Mr. Sarver met with Alan Brokate to file a complaint against the DeWire's in regard to the fence they have installed. He also met with Ted Fenstemacher (PennDOT District 5) the DeWire's did not have PennDOT approval for the Driveway on the DeWire's property. Mr. Fenstemacher will report to his manager and will send someone out to replace the reflector. Mr. Saver continued with concerns over safety with hunting that is permitted on the DeWire's property. His concern is with rifle hunting that may take place on the DeWire's property. He also has concerns over four wheelers that are driven on Vera Cruz Road. Mr. Sarver asked that the Township grant a cease and desist order until a two mile safety zone can placed around his property along with the hunting ban.

Supervisor Sentner and DeVault suggested Mr. Sarver contact the game commission for hunter safety rules. The four wheelers is a State Police Issue and the Highway Occupancy Permit is through PennDOT. Supervisor Sentner expressed that this was a neighbor issue and this will continue since they cannot get along.

Robert Dennis: Mr. Dennis is asking for a formal response to the letter he wrote on August 8th questioning sections of Upper Milford Township's Zoning Ordinance. Ruhe Farm's driveway is not fixed, there is no silt fence, no run off diversion of the skid trail. The diversions on the other skid trail have been driven over with the machines. He thought these would be taken care of. He is also concerned that there are numerous large clear areas. He asked for all of these issues to be looked into and taken care of. He said that it had been stated this is farming. He thinks this is the most destructive farming he has ever seen. He would like to know if the Zoning Ordinance can be enforced or not. He invites everyone to park in his lot and take a walk to see the mess.

Supervisor DeVault thank Mr. Dennis for his concern. He is sharing the zoning with a speaker from PSATS to see his opinion.

Mrs. Tantaros: She was in on November 2nd to request certain changes be allowed for the buffer area on the Field's at Indian Creek Plan. She asked if the Developer of The Fields at Indian Creek has contacted the Township in regard to the buffer around her property.

Planning Coordinator Brian Miller asked if Jeffery Ott had heard from the developer yet. Jeffery Ott did speak to Ed Dilleo. Ed indicated that he wanted to get the landscaping in yet this season. Jeffery Ott told the developer that they would be happy to look at substitutions in trees as long as they meet the ordinance.

Supervisor Sentner asked if it was prudent for the Township to reach out to the developer. Jeffery Ott was going to call the developer.

ACCEPTANCE OF MINUTES:

Approval of Minutes for the November 2, 2017 Workshop and Regular meetings.

MOTION: Supervisor Sentner made a motion to accept the minutes for the November 2nd, 2017 Workshop and Regular meetings as presented. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. 17016 to 17048 in the amount of **\$34,713.28**

PAYROLL FUND:

PLGIT XXXX7015 - Check No. 7357 in the amount of **\$47.64**

OPEN SPACE REFERENDUM FUND:

PLGIT XXXX7146 - Check No's. 1001 to 1003 in the amount of **\$10,227.21**

STREET LIGHT FUND:

PLGIT XXXX7125 – Check No.'s 1309 and 1310 in the amount of **\$2,356.03**

ACKNOWLEDGEMENT OF BANK TRANSFER:

Transfer No. 2017-069

MOTION: Supervisor Sentner made a motion to pay the bills as read and acknowledge the bank transfer. Supervisor DeVault seconded the motion. Any questions or comments, All were in favor, Supervisor Mohr was absent, motion carried.

SOLICITOR'S REPORT: -

- 1.) Approval of Resolution 2017-043
 - a. Adoption of the Multimunicipal Comprehensive Plan Titled Southwestern Lehigh County Comprehensive Plan 2017

Solicitor Fisher outlined that the Resolution 2017-043 was in order for the Board to adopt as the Township's Comprehensive plan.

MOTION: Supervisor Sentner made a motion to approve Resolution 2017-042 adopting the Southwestern Compressive Plan updated 2017 as Upper Milford Township's Comprehensive plan. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried.

OLD BUSINESS:

- 1.) Sale of the 4245 Mill Rd Property
 - a. Memo from Manager Daniel DeLong
- Not discussed, no action taken.

NEW BUSINESS:

- 1.) Approval of Resolution 2017-044
Berks County Intermediate Unit Tax Services Agreement
 - a. Memo from Secretary/Treasurer Jessi O'Donald
- 2.) Approval of Resolution 2017-045 – setting of Interim Tax Billing Policy
 - a. Memo from Secretary/Treasurer Jessi O'Donald
- 3.) Approval of Resolution 2017-046 – Real Estate Tax Payments
 - a. Memo from Secretary/Treasurer Jessi O'Donald

Memos from Secretary/Treasurer Jessi O'Donald explained that staff had a demonstration from Berks County Intermediate Unit Tax Services and at the request of the current and elected Tax Collectors is asking for the Board of Supervisors to enter into an agreement with BCUI to provide software and tax collection support to the Township's Tax Collector starting with the 2018 tax year along with separating the tax billing for Local from the combined bills with the school district that are sent out now. This would set the tax billing for Local Property Taxes to April 1, 2018 along with setting thresholds for interim billings and eliminating of installments on local real estate taxes.

MOTION: Supervisor Sentner made a motion to approve Resolution 2017-044, 2017-045, and 2017-046, entering into the tax software and support agreement with BCUI, Setting Tax billing for local real estate taxes to April 1, 2018, setting of interim tax collections/refunds and eliminating of installment payment for local real estate taxes. . Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried.

- 4.) Approval of Resolution 2017-047 Controlling placement of Category 4 Casinos
 - a. Memo from Assistant Manager Bud Carter

Assistant Manager Bud Carter's memo indicated that current legislation governing category 4 casinos allows municipalities to pass a resolution prohibiting them only until December 31st, 2017. After that date municipalities lose the ability to prohibit them within Township borders. If Upper Milford Township adopts the Resolution prohibiting Category 4 Casinos there is the option to rescind that resolution at any time. Once the prohibition is rescinded the casinos can never be prohibited after that.

MOTION: Supervisor Sentner made a motion to approve Resolution 2017-047 prohibiting Category 4 casinos within the Upper Milford Township Borders. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried.

DEP MODULES / SEWAGE PLANNING: -

- 1.) Approval of Resolution 2017-048 Septic agreement with Victory Valley Camp
 - a. Memo from Brian Miller

Memo from Planning Coordinator Brian Miller indicated that everything was in order with the Septic Agreement for Victory Valley Camp.

MOTION: Supervisor Sentner made a motion to approve Resolution 2017-048, septic flow agreement with Victory Valley Camp. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried.

PLANNING COMMISSION – OLD BUSINESS: -

- 1.) Resolution 2017-042 Approval
 - a. Amended Stone Ridge Estates O&M Agreements

Newly amended Stone Ridge Estates Operating and Maintenance Agreements contained within Resolution 2017-042 adjusted the impervious square footage.

MOTION: Supervisor Sentner made a motion to approve Resolution 2017-042, Amended O&M agreement with Stone Ridge Estates. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried.

PLANNING COMMISSION – NEW BUSINESS: - None

SUBDIVISIONS – IMPROVEMENTS: -

- 1.) Approval- Improvements Agreement- Wellness Center
 - a. Memo from Planning Coordinator Brian Miller

Memo from Planning Coordinator Brian Miller indicated that everything was in order for the Board of Supervisors to enter into the Improvements Agreement with the Wellness Center at 3835 Chestnut St.

MOTION: Supervisor Sentner made a motion to approve the Improvements agreement with the Wellness Center located at 3835 Chestnut St. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried

- 2.) Lehigh Valley Baptist Church; Request for Security Release
 - a.) Letter from Township Engineer, Ott Consulting

Letter from Township Engineer Jeffery Ott stated that Improvements were completed to the extent that that release number 2 is ready for approval from Lehigh Valley Baptist Church Letter of credit in the amount of \$271,834.91.

MOTION: Supervisor Sentner made a motion to approve Release Number 2 from the Lehigh Valley Baptist Irrevocable letter of credit in the amount of \$271,834.91 as per Letter from Engineer Jeffery Ott dated November 16, 2017. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, Supervisor Mohr was absent, motion carried

CORRESPONDENCE: - None

EXECUTIVE SESSION: If Needed

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report: Jim Krippe reported that the meeting went well. He said the Nixel system was being looked at and the committee will be recommending this system.

Supervisor Sentner stated that he wanted to thank Cindy for her time. They cannot continue to have three hours meetings discussing event from the past.

Township Emergency Management Coordinator:

Deputy Jim Krippe - The Board can approach any Deputy as the EMA as temporary EMA. If the Deputy doesn't want it then it goes to the highest ranking official in the Township. Any EMA the Board of Supervisors would consider would still need to be appointed by the State.

Emergency Services Call Report: Posted on website

Fire Companies: Station #19 they had a chimney fire and could not find the house without the numbers. Supervisor Sentner asked if there was a way to post the house numbers. With more time for the fire to get going it puts everyone in more danger.

Manager DeLong stated it's already in the building code that the number is displayed. This is being enforced on new construction. There are people who do not want to be found. He asked if dispatch can guide volunteers into the area, instead of using the technology in a volunteer's hand.

Emmaus Library: Lisa Marten reported that Teen writing and anime class and moves for Adults and Children. There will also be a Holiday Book Sale

Recreation Commission:

Supervisors:

Daniel Mohr – No Report

Robert Sentner – Thanked staff for the lights in the parking lot.

George DeVault – George welcomed Supervisor Elect Joyce Moore as she will be replacing him in January.

Township Manager:

Dan DeLong – No Report

Assistant Manager:

Bud Carter – reported that the Hazardous Mitigation Plan is moving along.

ADJOURNMENT: Meeting was adjourned at 8:32 pm.

Chairman George DeVault

12/07/2017
Date

Secretary/Treasurer Jessi O'Donald