

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
November 1st, 2018 at 7:00 p.m.  
**WORKSHOP MEETING MINUTES**

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

Meeting called to order at 7:00 pm.

**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:**

Phil Casey- Mr. Casey expressed his concern over hiring another Public Works Employee. He explained that he saw a Public Works truck go past Bear Swamp Diner around 7am October 22<sup>nd</sup>, 2018. He waited for the truck to go past again. When it didn't return he drove to Wawa on Rt 100 Macungie and saw the truck there. He then went back to the diner to time how long the employees were gone. The truck went back past the diner around 7:50. By his calculations the Township Lost four man power hours as there were two employees in the truck.

Manager Carter expressed that he would look into the concern.

Houstin Lichtenwalner – Mr. Lichtenwalner is very adamant that his Heavy Animal Use area project should be exempt from a Township O&M agreement since the project is a Stormwater/Nutrient reduction project aimed at reducing the amount of manure that washed directly into the stream along his pasture. He states that in Lebanon, York, Lancaster Counties the state has come in and made farmers install these types of areas to control nutrient infiltration into the watershed. He claims that in these areas the farmers are exempt from O & M agreements and that our Act 167 regulation is in direct conflict with the Acre Law. His concern is that his project is just under an acre of disturbance at 9,600 square feet and the Township's ordinance is 10,000 Square feet for an NPDES permit. Mr. Lichtenwalner read from an excerpt of a Stormwater PA file. He refuses to sign the O&M agreement because he doesn't feel it pertains to him and it contains language that does not fit his property or project. He has spoken with Tim Shaffer the Deputy DEP Secretary. Mr. Lichtenwalner stated that the Township Ordinance cannot be more restrictive than the State regulation.

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There was a brief discussion including the Board of Supervisors, Planning Coordinator Brian Miller, Manager Bud Carter, Solicitor Marc Fisher and Township Engineer Jeffery Ott. It was determined through this conversation that Mr. Lichtenwalner Property is located within the MS4 Urbanized Zone for Stormwater control. This mean the O&M would stand since all stormwater improvements need to be recorded. Everything has been approved for Mr. Lichtenwalner's project except for their signing of the O&M agreement. There was a suggestion by Solicitor Fisher that if the concern is the language used in the O&M agreement, Mr. & Mrs. Lichtenwalner should notate what they believe the O&M agreement should stipulate for staff to review. It was questioned again how to get all the right people in the same room to discuss this concern from all the Outside agencies that regulate these matters.

**EXECUTIVE SESSION:** Legal Matter – Postponed until regular meeting.

**OLD BUSINESS:** - None

**NEW BUSINESS:** - None

**ANY OTHER BUSINESS:** - None

**ADJOURNMENT:** Meeting was adjourned at 7:37 pm.

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Chairman Daniel Mohr

**11/15/2018**  
Date

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Secretary Jessi O'Donald