

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
April 18th, 2019 at 7:30 P.M.
REGULAR MEETING MINUTES

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

Meeting 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 your name for the record and address the Board of Supervisors.

Information for the May 1st Miller Keystone Blood Drive is listed on our website. Please schedule your appointment and help us reach our donation goal of 16 pints.

PUBLIC INPUT:

Gerald Reinbold Jr. 4350 Winfield St – He is asking about the “junkyard” at 3720 Allen St. He attended the March 21st meeting and is asking for an update. He would like to know what was on the certified letter, if all of the ordinance violations were addressed and if not, why. He is concerned about the junk and the chickens that roam the area. He is also questioning the vehicles on the property and parked around the neighborhood without inspection or registration. Solicitor Fisher had said the vehicles were a quick fix, he would like to know why they are still there. He would like answers and wonders why nothing has been done. He is thankful that there were Township representatives at the Allen St property last week. If he can't get anywhere he will go to Ryan Mackenzie's office. He called the SPCA about the chickens. When they didn't respond he threatened to hurt the chickens at that point he received a phone call. The SPCA told him to call the Sanctuary at Haafsville. He was told Haafsville does not take care of chickens. Chickens are a Township issue.

Bill Ginder – 3674 John St.-3690 John St-467 Winfield St – His concern is the owner on Allen St has just moved vehicles around the neighborhood instead of removing them. He asserts that Mr. Krause is conducting his business on the Township Street. Mr. Ginder asked if he could run his business on the street and build trusses. He has a concern about the vehicle that is blocking the stop sign. He questioned why that the vehicle can just be moved around the block and be OK. He would like the vehicle removed. It has caused several incidents on that street.

Gerald Reinbold states that the vehicle in question the blocks the stop sign, has no brakes and hasn't moved since October.

Solicitor Fisher asked the audience and the Supervisors to understand that he does want to jeopardize any pending litigation, so he will give only as much information as he can. He said there is a process. There was a site visit with himself, Mr. Carter and Mr. Brokate. Mr. Krause did come out and allow them onto his property. Mr. Krause gave his opinion as to what he felt he could and couldn't do. Mr. Brokate then explained to Mr. Krause what he is allowed to do and not do. There was two certified letters sent. First one to Mr. Krause and the second one to the neighbor directly behind Mr. Krause. After those are received there is a time period in which to come into compliance or file for zoning relief. At the end of the given time period if the property has not come into compliance or file for zoning, this issue will be filed with the magistrates office. At that point

there is not a question of compliance, it is a matter of the magistrate assessing fines. The Township always wants compliance and not fines. The second resident was given 10 days to remove the vehicles. They had not come into compliance, the Township has already filed with the magistrate. The Township is far more interested in compliance than fines. Through Ordinance 151 the Township has also filed with the magistrate for unregistered vehicles. The third issue is the condition of the property. The property as it is has been deemed a junkyard. He has been given 30 days to come into compliance or file zoning relief. The State Police, did not ticket but have spoken to the resident and asked for compliance. State Police claim they do not have the authority to ticket those vehicles. The Zoning Officer has the final say on these matters. Not the Solicitor or the Supervisors. Solicitor Fisher expressed again that was all he was able to say at this time.

Gerald Reinbold Jr. thanked everyone for the work that has been done already and he does understand it is a process. **Mr. Ginder** also thanked everyone for the progress. He still has concern that the Township will only be ok with some progress but wants this to be followed through all the way. He states that the Township needs to keep the pressure on Mr. Krause to comply.

Phil Armstrong Lehigh County Executive. Today's webcast was about Blight. Everyone thinks of Blight as center city but most of the issues were the ones spoken about tonight. Grass too high and cars in the yard. The title of the webcast was "Carrots Not Sticks". Upper Milford is not the only Township having these issues and the thing everyone wants is to take care of the problems not assess fines. He also wanted to stress that the 2020 Census is very important and that is coming up soon.

Supervisor Moore asked about the Farmland Preservation money. Phil sated there is 2 million in the budget and what we really need to talk about is Framer Preservation. He will not support the Seed Farm sale. He feels the Seed Farm is an asset. The County is also preceding with Cedar Brooke expansion and upgrades. Every single municipality signed up and did the emergency hazard plan.

Supervisor Sentner ask if there was any more talk about the Lehigh and Northampton County joining together for 911 system. Right now the only thing that has happened was to allow the Bethlehem portion in Northampton County to be a part of the North Hampton County 911 system. There are concerns with a regional 911. One of the things you lose, is the people that knew the areas that can help responders get to calls. Phil said if there is a specific concern he can help get that corrected. He understands that when the change happened for the radios. There will be a huge expense.

Supervisor Sentner asked a few questions. First, can we tow a vehicle? Solicitor Fisher stated that we can tow a vehicle but that the cost would be on the Township for towing and storage. Second question, we have had another property in the Township like Mr. Krause's, what happens when the fines start racking up and we can't force them to clean up. Solicitor Fisher said there is a procedure but it is lengthy. He wanted everyone to know that the Ordinances are on the website.

ACCEPTANCE OF MINUTES:

Approval of the April 4th Workshop and Regular meeting minutes.

MOTION: Supervisor Moore made a motion to accept the April 4th, 2019 workshop and Regular meeting minutes as presented. Supervisor Sentner seconded the motion. Any questions or comments, both were in favor, Supervisor Mohr abstained, Motion carried.

APPROVAL OF PAYMENT OF BILLS:

Request letter from Western District Fire Company

Supervisor Sentner read the request from Western District. All three supervisors expressed their agreement with the request. They are requesting this money from their Township held Capital Reserve Account.

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **18346 to 18397** in the amount of **\$69,035.30**
(Includes Western Fire Company Requested amount - check #18397 - \$10,560.00)

OPEN SPACE REFERDENDUM FUND

PLGIT XXXX7146 – Check No. **1007** in the amount of **\$843.75**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No. 2019-020 to 2019-023

MOTION: Supervisor Mohr made a motion to pay the bills as read and acknowledge the bank transfers. Supervisor Moore seconded the motion. Any questions or comments, all were in favor, motion carried.

SOLICITOR'S REPORT: -

1.) Approval Ordinance 161 – Timber Harvest

Solicitor Fisher explained that Ordinance No. 161 has been duly advertised, this is the Township's attempt to update and strengthen the logging ordinance, and is in front of the Board for adoption. Supervisor Mohr explained that he was just at the PSATS Convention and took a class on the ACRE law. He asked if the Ordinance was compliant with the Acre Law. Planning Coordinator Brian Miller said the Ordinance has been reviewed against the Acre Law and by a DCNR forester. He felt at this point since it was modeled off of the PSATS Model ordinance that it is complaint as it can be. Phil Casey asked if corrects the flaws in the old ordinance. The ordinance has been corrected as much as possible.

MOTION: Supervisor Moore made a motion to adopt Ordinance No. 161. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

OLD BUSINESS: None

NEW BUSINESS:

- 1.) Reappointment of Judith Parker, Matthew Hunter and Alternate Robert Sentner with new terms ending April 30th, 2023.
 - a. Letter from Planning Coordinator Brian Miller

MOTION: Supervisor Moore made a motion to reappoint Judith Parker, Matthew Hunter, and Robert Sentner in accordance with Planning Coordinator Brian Millers' Letter dated April 15, 2019 to the Planning Commission. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

- 2.) Farmland Preservation –Resolution No.'s 2019-022, 2019-023, 2019-024, 2019-025
 - a. Letter from Planning Coordinator Brian Miller

Planning Coordinator Brian Miller's letter requests signing privileges for the settlements of easements for the following parcels. 6569 Sigmund Rd., Pin# 548224213809, Total Acreage= 23.727, 6445 Tollgate Rd., Pin# 548224838556, Total Acreage= 10.038, 6481 Tollgate Rd., Pin# 548223798633, Total Acreage= 3.849, 6556 Sigmund Rd., Pin# 548223764036, Total Acreage= .562, 6574 Sigmund Rd., Pin# 548223448221, Total Acreage= 3.768, Appraised Easement cost \$4,900 Per Acre (UMiT Share) 5633 Chestnut Street, Pin #548380463204, Total Ag Easement Acreage= 11.5 Appraised Easement cost \$3083.33 Per Acre. (UMiT Share) 5621 Chestnut Street, Pin# 548279873543, Total Acreage 21.974 Appraised Easement cost \$1110.00 Per Acre. (UMiT Share) I would also like to add to the recent easement purchase approvals and get your approval to jointly purchase the easement rights for 2280 Reinbold Road, Pin 640431549934, Total acres= 11.427 Known as the Clair Ricci Property. This would be a joint purchase with Lehigh County and Upper

Saucon Township for a total Cost to UMIT of \$ 843.75. We would also need to designate who shall sign that agreement and attend the Closing.

In Upper Milford Township there are 1120 acres preserved in total and 386.77 acres since 2016.

MOTION: Supervisor Moore made a motion to approve Resolutions 2019-022, 2019-023, 2019-024 and 2019-025 for four Farmland preservations totaling 8 parcels. Supervisor Mohr seconded the motion. Any questions or comments, both were in favor, Supervisor Sentner Abstained, motion carried.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS: - None

SUBDIVISIONS – IMPROVEMENTS: - None

CORRESPONDENCE: -

- 1.) Macungie Borough Special Fire Police Request
 - a. Letter from Macungie Borough

Macungie requests the assistance of Special Fire Police for the Antique Truck Show, Wheels of Time and Das Awshst Fescht.

MOTION: Supervisor Moore made a motion to allow the assistance of Special Fire Police from station #28 if willing and available for the events listed in the letter from Macungie Borough dated April 9th, 2019. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

- 2.) Macungie Borough Request for use of East Macungie Rd
 - a. Letter from Macungie Borough

Macungie Borough requests the use of East Macungie Rd on Monday May 27th, 2019 during their Memorial Day Parade.

MOTION: Supervisor Moore made motion to allow the use of East Macungie Rd as requested in Macungie Borough's letter dated April 8th, 2019. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, motion carried.

- 3.) Request to connect to LCA sewer for Linda Lane.
 - a. Letter from Linda Lane Residents.

Six resident of Linda Lane have asked to be able to connect to the LCA system when it is run through their neighborhood for the Estates at Maple Ridge. They have ask help in finding a contractor that will give them a break on the cost as well.

After a brief discussion, it was noted that the Township really can't control the cost of connection but if the residents work together they will more than likely find a contractor to give them a break on the price. Planning Coordinator Brain Miller and Manager Bud Carter said there are septic concerns with some of those properties and Brian Miller will talk to LCA about the process of allowing those residents to connect when the pipes are installed in conjunction with the development.

OTHER ISSUES: -

REPORTS:

Emergency Services Committee Report: Memo from Emergency Services Committee Chairman Jim Krippe: At the April 17, 2019 meeting of the Emergency Services Committee requested the following issues be addressed or the information supplied by the Board of Supervisors: 1. If the board could direct the Tax Collector to issue a list of all businesses, places of high occupancy (IE: Churches, schools, or daycares) for use of preplanning for emergencies. 2. Getting updates and results of all water flow and pressure for each fire hydrant within all areas of Upper Milford Twp. and whether or not issues exist that could hamper a proper water flow in the event of an emergency. 3. What discussion if any has been done to possibly give first responders some sort of stipend or tax relief for all their volunteer time they give in protecting and responding to emergencies within Upper Milford Township? 4. What plans are presently in progress or in the future does the Township have to upgrade all existing and future traffic signals to operate with an emergency vehicle pre-emption device to enable approaching emergency vehicles to change traffic signals to help facilitate a safe procedure through an intersection?

Brian Miller will ask LCA about the water flow data. There was a brief discussion with Treasurer Jessi O'Donald about the Tax software's ability to find businesses and churches. She will give Jim what she has and will talk to the Tax Collector. First responders will not have a stipend per Supervisor Sentner. The tax relief law was a terrible law and you would have to be a resident to get that relief. This has been discussed before. As for the Traffic signals, Manager Carter said that goes back to the PennDOT TIP for upgrades. Planning Coordinator stated that there is a plan for the Shimerville Light.

These were the items brought up at last night's meeting. They are going to work on their five year plan. It will be a narrative and infrastructure plan. Also both companies have voiced their concerns about the Code Official. They feel as though there is no support from him when they are called for a fire. They do not get reimbursed but he does and they are upset that he will not come out after hours. They are concerned that they take out the expensive equipment and it is a lot of time and effort when they do not get backed up by the Code Official.

Supervisor Sentner added that we pay a lot of money for Code Enforcement and something needs to be done. He feels that we need to get more from our Code Enforcement. He feels the job description should be rewritten. He stated it is exasperating with all of the controlled burns and fire calls. We pay a lot of money for zoning and since we took Jasper Ridge off his plate that he should be able to do this more. He feels that the County dispatch should tell people on a Sunday that they can't have a controlled burn. Supervisor Sentner expressed that Public Works take care of thing any time of the day or night.

Manager Carter expressed that since this is a personnel matter and should be discussed elsewhere, he also felt that Public Works has more employees to share the afterhours work load.

Township Emergency Management Coordinator:

James Krippe: See the discussion above

Emergency Services Call Report: March Report Posted to Website

Fire Companies: no report station #28. Station #19 has their Egg Hunt of April 20th at 2 pm.

Emmaus Library: The Library was awarded the Gold Level PA Forward Star Award for successfully incorporating the five literacies in Library Programing.

Recreation Commission: No Report

Supervisors:

Daniel Mohr – He went to PSATS and took the MS4 and Forestry classes. The Vera Cruz Association has their Easter Egg Hunt at 1 pm on April 20th.

Joyce Moore –She attended the PSATS Convention and took the updated land use planning and open records classes.

Robert Sentner – He has a concern with the Jasper Ridge development dumpsters sitting side by side on the road. He asked if they could be asked to have the developer stagger the Dumpsters. Going back to the Controlled burning, does it make sense to do away with the Ordinance? Manager Carter asked what that would change. People will still call 911 for the fires. Supervisor Sentner stated the Chiefs are the ones with the concerns. Both Chiefs are angry because nothing happens. He feels something has to happen, and would recommend that the Chiefs and the Code Official sit down and hash this out. After more discussion on the common sense of fires and how they get called into the 911 center. Jim Krippe thinks that “Allen is sitting on his duff and not doing anything”. Manager Carter said the procedure was the fire Chiefs were to fill out a form and turn it into the Code Officer but that hasn’t happened. Alan doesn’t get called or the forms. It was left that the Code Officer will have a meeting the Chiefs. Lastly he asked if there was the ability to send Zoning Board members to classes, he wants to make sure that the Zoning members get the class information so they can choose to go if they wish.

Township Manager:

Bud Carter – No Report

EXECUTIVE SESSION: -Not Needed

ADJOURNMENT: Meeting adjourned at 8:45 pm.

Chairman Robert C. Sentner

May 2nd, 2019
Date

Secretary Jessi O’Donald