

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

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**ATTENDANCE:** Supervisors: Robert Sentner, Joyce Moore, Daniel Mohr; Township Manager, Edward Carter; Solicitor Marc Fisher; Planning Coordinator, Brian Miller; 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.

**PUBLIC INPUT:**

Susan Kowalchuk – 3010 Bleiler Rd – Concerns about traffic on Bleiler Rd. The traffic comes flying over the hill and past her property. They fly by and go around the turn by the barn. She states she's not sure how her neighbor hasn't been killed getting his mail. She was hoping there is something the Board can do to make people aware of the concern. She asked if a Stop Sign would help. There already is a caution sharp turn ahead signs.

Gary Cordes - 3017 Faith Dr. – He offered for staff to look at the intersection with Faith Dr. from his driveway.

Supervisor Mohr stated that he understands the concern on that stretch of road.

Supervisor Sentner asked staff to put out the speed study detector and gather some information. He also asked what the possibility to acquire a speed trailer and to see if the speed limit signs may just be missing.

Supervisor Moore thanked the residents for bringing the concern to the attention of the Board.

Gary Butler – 3552 Lenape Lane – wants to know why the Township didn't answer the HOA's attorney's letter. He is concerned that the Township gave Omega an extension last year but they waited until the middle of the summer to start the work that needs to be done.

Solicitor Fisher explained that Omega has asked for a longer extension of time. The Board is only considering a 90 day extension. Omega has represented that the work will be completed by September.

Supervisors Sentner said he understands that the snow plowing is a concern for the winter. He asked Solicitor Fisher if the HOA could legally go after the development.

Solicitor Fisher stated they can legally proceed against the Developer. He also stated that this is also a concern of the Township that Omega finishes the project and gets it done correctly.

Joseph Basile – 3561 Lenape Lane – his concern is that the contractor has left the curbing project not protected enough and with basin's open. They will also be replacing the concrete aprons as well so they need to communicate with the residents as to not have them stuck in their driveways.

Paul Fries – 4260 Lenni Circle – Mr. Fries asked about the Allen Street traffic light.

Staff responded that PennDOT was to award the bid on July 11<sup>th</sup> but there has been no communications that the bid was definitely awarded.

Pauline Kohler - Lenape Lane – asked why the developer needs the extension. She also asked if there is a possibility of no extension. She stated that she see just poor planning on the part of the developer. She walks her dog around the block several times a day and she says it's scary since the work areas are not marked well and they can't be seen at night.

Solicitor Fisher explained that if the Board doesn't grant the extension then someone will have to proceed with a legal matter which may more than likely slow down the process even further.

The residents were asked to keep the Board informed of the concerns and Staff will follow up with the Township Engineer and the developer.

### **ACCEPTANCE OF MINUTES:**

Approval of the June 20<sup>th</sup>, 2019 Regular meeting minutes.

**MOTION:** Supervisor Moore made a motion to accept the minutes as presented. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor motion carried.

### **Ratification of payment of bills for July 8<sup>th</sup>, 2019**

#### **GENERAL FUND:**

PLGITXXXX7096 – Check No. 18554 to 18596 in the amount of \$64,194.15

**STREETLIGHT FUND:**

PLGITXXXX7125 – Check No. **1339** in the amount of **\$2,118.53**

**HIGHWAY AID FUND:**

PLGITXXXX7112 – Check No. **2632** in the amount of **\$185,914.44**

**OPEN SPACE REF. FUND:**

PLGITXXXX7146 – Check No. **1012** in the amount of **\$209,279.00**

**MOTION:** Supervisor Moore made a motion to ratify the bills as read for July 8<sup>th</sup> 2019. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's. **18597 to 18621** in the amount of **\$60,031.86**

**OPEN SPACE REFERENDUM:**

PLGIT XXXX7146 – Check No. **1013** in the amount of **\$199,817.00**

**ESCROW FUND:**

PLGIT XXXX7109 – Check No. **147** in the amount of **\$300.00**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer No. **2019-043 to 2019-055**

**MOTION:** Supervisor Mohr made a motion to pay the bills as read and acknowledge the bank transfers for July 18, 2019. Supervisor Moore seconded the motion. Any questions or comments, all were in favor, motion carried.

**OLD BUSINESS:** None

**NEW BUSINESS:**

- 1.) Notice of Assignment of Contract for DeWalt Conservation Easement Settlement scheduled for July 22, 2019.

This document allows for the transfer of preservation proceeds to an entity of the DeWalt's choice.

**MOTION:** Supervisor Moore made a motion to approve the notice of assignment as presented. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

**SOLICITOR'S REPORT:** - No Report

**DEP MODULES / SEWAGE PLANNING:** - None

**PLANNING COMMISSION – OLD BUSINESS:** - None

**PLANNING COMMISSION – NEW BUSINESS:** -

- 1.) Dale Dries Subdivision Driveway Discussion
  - a. Letter from Planning Coordinator Brian Miller

Dear Chairman Sentner,

The Upper Milford Township Planning Commission has reviewed a Sketch Plan for the Proposed Dale & Lucy Dries Minor Subdivision. As part of the Penn DOT Highway Occupancy Permit requirements Penn DOT has requested review and comment on the proposed driveway location by the Township. The plan is proposing a new shared driveway next to the previous subdivisions shared driveway, just offset from the intersection with Lazor Road. It is clear that the intentions of the easement on the previous subdivision were for a road to be built if additional lots were created in the future. Both the Planning Commission and the Townships Traffic Engineer Pete Terry have made recommendations not to support the new driveway location as shown on the Sketch Plan. Penn DOT's driveway spacing standards note driveways shall be aligned with other driveways and roadways on the opposite side of the intersecting roadway on arterials and major collector roads in order to meet spacing requirements. Since Saint Peters Rd. is classified a Major Collector the Planning Commission recommended that the new lots connect and share the previous subdivisions driveway as intended, it should be noted that the applicant may need to install a township road to meet current zoning ordinance requirements. If you agree with the Planning Commission and Township Traffic Engineer I can respond in writing to Penn DOT with your final comments.

There was a general agreement that the driveway needs to align with the intersection and follow what was agreed to in the prior subdivision plans.

**MOTION:** Supervisor Sentner made a motion to direct staff to send a letter to PennDOT expressing the Planning Commission recommendations per Brian Miller's letter Dated July 18<sup>th</sup>, 2019. Supervisor Moore seconded the motion. Any questions or comments, Supervisor Mohr wanted to make sure what he understood was the Board was against another driveway access and to make sure the driveway was configured as the original shared driveway on the original subdivision plan, everyone was in favor, motion carried.

- 2.) Lower Macungie Zoning Amendment
  - a. Letter from Planning Coordinator Brian Miller

The Upper Milford Township Planning Commission has reviewed the proposed Lower Macungie Zoning & Subdivision Ordinance Amendments, the Zoning amendments are a 281 page re-write of their Zoning Ordinance and Zoning Map with several exhibits attached. The Subdivision revisions are an additional 9 pages. The Planning Commission recommended thanking Lower Macungie for the chance to review the

revisions. I did not get to do a complete review of the revisions due to time constraints, but I did not see any zoning changes along our border with Lower Macungie that would have any adverse effects on the Township. If you agree I will send a Letter thanking Lower Macungie for the opportunity to review the revisions and let them know that we have no comment at this time.

**MOTION:** Supervisor Sentner made a motion to thank Lower Macungie for allowing review of their Zoning Amendment. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

### **SUBDIVISIONS – IMPROVEMENTS:** -

- 1.) Approval – Time Extension for Fields at Jasper Ridge/Kohler Tract until August 7<sup>th</sup>, 2020
  - a. Letter from Attorney James Preston

Letter from Attorney Preston states: My client, Kay Builders, Inc., entered into an Improvements Agreement with Upper Milford Township for improvements associated with the Fields at Jasper Ridge Major Subdivision plan. That Agreement expires on August 7, 2019. I hereby request that the term of the Agreement be extended an additional twelve (12) months to allow completion of the required improvements.

**MOTION:** Supervisor Moore made a motion to approve the Time extension for the Fields at Jasper Ridge/Kohler tract Subdivision until August 7<sup>th</sup>, 2020 as requested in the letter received from Attorney Preston dated June 27<sup>th</sup>, 2019. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

- 2.) Approval – Time Extension for FIC Phase 3 until August 7<sup>th</sup>, 2020.
  - a. Letter from Attorney James Preston

Letter from Attorney Preston states: My client, Kay Builders, Inc., entered into an Improvements Agreement with Upper Milford Township for improvements associated with the Indian Creek Major Subdivision Phase 3 plan. That Agreement expires on August 7, 2019. I hereby request that the term of the Agreement be extended an additional twelve (12) months to allow completion of the required improvements.

**MOTION:** Supervisor Moore made a motion to approve the time extension for Fields at Indian Creek Phase 3 until August 7<sup>th</sup>, 2020 as requested in Attorney Preston's letter dated June 27<sup>th</sup>, 2019. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

- 3.) Approval – Time Extension for Indian Mill Creek Townhouses for 90 days from August 10, 2019
  - a. Memo from manager Carter

Avi Hornstein of Omega Homes has requested a 180 day time extension to complete the public improvements covered in the development agreement. At this time I would advise the Board of Supervisors to only grant a 90 day time extension. This should allowed more than enough time to complete the improvements.

**MOTION:** Supervisor Mohr made a motion to approve a 90 day time extension for the Indian Mill Creek Townhomes per Manager Carter's memo dated July 18<sup>th</sup>, 2019 instead of the 180 day time extension that was requested by Avi Hornstein in his letter dated June 26<sup>th</sup>, 2019. Supervisor Sentner seconded the motion. Any questions or comments, all were in favor, motion carried.

**CORRESPONDENCE:** -

- 1.) Letter from Roselyn and Robert Parry

Dear Supervisors,

We thank you many times over for the honor bestowed on us at the June 17, 2019 meeting of the Recreation Commission. We are just now recovering from the total shock of it all and having the Lenape Pavilion named for us. The certificates presented to us, the people in attendance, the entire proceedings took much planning and were a well-kept secret. Although quite honored, we feel unworthy and somewhat embarrassed to be recognized for service to the community which has been nothing more than doing the daily things we enjoy, being useful, and "putting our two cents" into things. The fact that this has stretched over 53 years is simply life as we know it and the normal lifestyle we intend to continue. With appreciation and gratitude, Robert and Roselyn Parry

**OTHER ISSUES:** - None

**REPORTS:**

Emergency Services Committee Report: The ESC had a good meeting last night. The rep from County said the county will look into the communication concerns from the other tower. The hope is that the rep there last night will be the new County Emergency Management Coordinator. They also revised a few items on their 5 year plan. The next meeting is currently scheduled for October 16<sup>th</sup> so they are working on rescheduling.

Township Emergency Management Coordinator:

James Krippe:           see above

Emergency Services Call Report: Report Posted to Website

Fire Companies: No Report

Emmaus Library: Summer reading club youth sign ups number 550 with over 10000 hours read and Adults number 380. Harry potter event will be July 31<sup>st</sup> and the annual local Heroes night is scheduled for September 5<sup>th</sup>, 2019.

Recreation Commission: No Report

Supervisors:

Daniel Mohr – The Vera Cruz association Homecoming book was just dropped off at the printers. The Homecoming is Sunday, August 18<sup>th</sup> from noon until 8pm. The Association is looking for volunteers to help with the event. They are also looking for volunteers for the association.

Joyce Moore – No Report

Robert Sentner – 1.) Is PennDOT exempt from their own regulations? His concern is the shoulder on Chestnut St along the Beck properties. He asked if there is any pre meeting for any kind of construction on the Rt 29 area. Manager Carter was out on a field view with the Project Manager for District 5 and the budget staff. The overlay is tentative for next year. They have now added guide rail and signage. They are also waiting for LVPC and the TIP information. There is base repair in the plans for the road. Manager Carter stated the time to speak is early on and he mentioned as much as he could with drainage and other issues. It was determined that everyone can put together a list of concerns for the project manager.

2.) There was an accident on the Turnpike and Emergency responders waited 61 minutes for the ambulance to show up. His concern was for the responders having to witness what was going on. Vera Cruz FD does have a contract to be on the turnpike. Supervisor Sentner is making everyone aware that he is going to meet with the Fire Departments and the State Representative over length of wait times for response.

Township Manager:

Bud Carter – No Report

**EXECUTIVE SESSION:** -Not Needed

**ADJOURNMENT:** Meeting was adjourned at 8:10 pm.

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Chairman Robert Sentner

**08/01/2019**

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Secretary/Treasurer Jessi O'Donald