

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
October 17th, 2019 at 7:30 P.M.
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors; Robert Sentner, Joyce Moore; Manager Edward Carter; Planning Coordinator Brain Miller; Solicitor Eric Strauss; Secretary/treasurer Jessi O'Donald.
Supervisor Daniel Mohr was absent.

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.

The Upper Milford Township Board of Supervisors held an executive session for personnel on Friday October 11th, 2019 from 9:00am until 12:30 pm. (Supervisor Sentner noted that this was for employee reviews.)

PUBLIC INPUT:

- 1.) East Penn Neighbors Helping Neighbors
-Anne Zayaitz, Board President and Tina Cirafesi

Tina Cirafesi introduced East Penn Neighbors Helping Neighbors. The group is a 501c3 non-profit organization helping families that are homeless or housing insecure within the East Penn School District. They are an all-volunteer organization providing temp housing, life coaching and counseling where needed. Anne Zayaitz is a founding member and asked for volunteer help and to partner with our community.

Ed Hoffman- Crossings at Indian Creek Townhouses Attorney; Chrissy Bertie – Property Manager; Gary Budman -3552 Lenape Lane; Richard Harris – 3568 Lenape Lane; John Stavros – 4484 Lenape Cr

The residents, Property Manager and Attorney for the HOA of Indian Mill Creek Townhouses shared their concerns and questions with the Board of supervisors. The concerns voiced by several residents were about safety and winter maintenance if Omega Homes doesn't finish the development in time for winter. The last houses were completed a year ago and the developer has yet to finish pave the roads for dedication to the Township. Residents are concerned about the pipe ends that were made higher to meet with the finished level of pavement are now hazards as they drive to their homes. They are concerned that if the roads are not completed they will not be able to find a company to plow since the cost of plowing the roads has increases due to the pipe ends and the cost is incurred by the HOA until the roads are dedicated to the Township. Mr. Harris asked about the posted security for the development and asked if the township can't force the developer to finish or use that security to complete the roads for Township dedication. Mr. Harris was very concerned that the Township had released funds from the Bond too soon to too much. Chrissy Bertie is concerned about the roads being plow ready before the first snow.

Solicitor Fisher explained that the Township needs to allow the developer the time in the agreement in order to complete what is required for dedication. That time ends on November 8th. The developer had a contractor that did not complete the work on the curb and a new contractor needed to be found. The curbing has now been complete. That pushed the Road paving back to a point in which the original road

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paving company was now unable to complete the work due to other obligations. At this point Solicitor Fisher has spoken to the developer and understands that a new contract for paving has been made by Omega and if all goes well Omega will be able to have the contracted company complete paving for dedication of roads by the November 7th Board of Supervisors meeting. If the roads are completed and meet the Township Engineers approval then the roads can be dedicated. Until the November 8th deadline is past the Township cannot do anything more. As far as recourse for the HOA, they need to speak to their Attorney. He explained that there are still outstanding items for the developer to complete prior to the development deemed complete. A few of those things need to be addressed by the HOA on the plan. The Township will get Attorney Hoffman the plan when it is received.

ACCEPTANCE OF MINUTES:

Approval of October 3rd, 2019 Regular meetings minutes

MOTION: Supervisor Sentner made a motion to approve the minutes for the Regular meeting on October 3rd, 2019 as presented. Supervisor Moore seconded the motion. There were no questions or comments, both were in favor motion carried.

After the minutes were approved Jim Krippe had two questions. He wanted to know if the executive session had been announced for the October 3rd meeting. (That announcement is within the announcements section in the October 3rd minutes and had been on the October 3rd agenda.) The second comment was in reference to a brief exchange at the October 3rd meeting when he inquired about his certification paper to be signed. (During the Emergency Management Report Mr. Krippe asked about a form he would like signed for Emergency Management Certification). Supervisor Sentner stated they were deciding what they were going to do with the Emergency Management position and would have an answer to him within the next two weeks. Mr. Krippe asked if he could get his certificates back if he was going to be dismissed. Supervisor Sentner asked him to allow the Board to finishing discussing what they needed to.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **18829 to 18880** in the amount of **\$74,313.81.**

STREET LIGHT FUND:

PLGIT XXXX7125 – Check No. **1343** in the amount of **\$2,305.38**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No. **2019-081** to **2019-086**

MOTION: Supervisor Moore made a motion to pay the bills as read and acknowledge the bank transfers. Supervisor Sentner seconded the motion. There were no questions or comments, both were in favor, motion carried.

SOLICITOR'S REPORT: - No Report

OLD BUSINESS: None

NEW BUSINESS:

- 1.) Emergency Management Coordinator

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MOTION: Supervisor Sentner made a motion to remove Jim Krippe effective immediately from the Emergency Management Coordinator's position. Supervisor Moore seconded the motion. There were no questions or comments, both were in favor, motion carried.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS:

- 1.) O'Rourke Land Development SALDO Waivers
 - a. Letter from Planning Coordinator Brian Miller

At their meeting on 7/29/19 the Planning Commission recommended granting waivers to the following SALDO Sections as requested in the attached letter dated 7/29/19 From Jason Schweyer of Keystone Consulting Engineers, Inc. SALDO 503.C.D.6; SALDO 503.C.H.2.d; SALDO 603.C.D.6; SALDO 603.H.2.d.; SALDO 503.C.D.19; SALDO 603.C.D.16; and SALDO 1008.A; SALDO 602.A; SALDO 1016.C; SALDO 1004.C.2; SALDO 1004.F.1-2; and SALDO 1004.L; SALDO 1004.E.1; SALDO 1004.E.11; SALDO 1012.C.1; and SALDO 1019.A; and SALDO 1004.M.2.a; The Planning Commission also recommended granting a Waiver to Ordinance 129 Section 304.E allowing a BMP to be less than 100' from a water Supply well. Ordinance 129 requires the Board of Supervisors to hear requests and decide on waiver requests for certain items such as this isolation distance waiver. In this case the well in question is located 72' upslope of the infiltration basin. It should also be noted that this basin does not capture storm water runoff from the parking area, only the lawn roof and patio areas drain to this basin & The Pennsylvania Best Management Practice Manual dated December 30th, 2006 requires a 50' Isolation distance There were three waivers withdrawn by the Applicant they were: SALDO 1012.D, 403.B.7 &403.C.1.b.

MOTION: Supervisor Sentner made a motion to approve the SALDO Waivers as recommended by the Planning Commission and Planning Coordinator Brian Miller's letter dated October 17th, 2019. Supervisor Moore seconded the motion. There were no questions or comments, both were in favor, motion carried.

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- 2.) O'Rourke Land Development Contingent approval
a. Letter from Planning Coordinator Brian Miller

At their meeting on 7/29/19 the Planning Commission recommended granting Preliminary/Final approval to the O'Rourke Vineyard & Winery Land Development contingent on addressing the following items: Approval of waivers requested & recommended by the Planning Commission. Addressing all comments in the Township Engineers Review Letter dated September-30th, 2019 to the satisfaction of the Township Engineer. Receiving all required outside agency approvals. Payment of any outstanding fees. At this time the Applicants Engineer is working on addressing the comments from the Township Engineer and has submitted the required items to outside agencies awaiting their responses. If you agree with the Planning Commission you may recommend approval contingent on the applicant addressing the items in this letter

MOTION: Supervisor Sentner made a motion to approve the O'Rourke Vineyard and Winery Land Development Plan per Planning Coordinator Brian Miller's letter dated October 17th, 2019. Supervisor Moore seconded the motion. There were no questions or comments, both were in favor, motion carried.

SUBDIVISIONS – IMPROVEMENTS: - None

CORRESPONDENCE: - None

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report:

Township Emergency Management Coordinator:

Emergency Services Call Report: Report Posted on the Website

Fire Companies: No Report

Emmaus Library: No Report

Recreation Commission: No Report

Supervisors:

Daniel Mohr – Absent
Joyce Moore – No Report
Robert Sentner – No Report

Township Manager:

Bud Carter – No Report

EXECUTIVE SESSION: -Not Needed

ADJOURNMENT: Meeting was adjourned at 8:16 pm.

Chairman Robert Sentner

11/07/2019
Date

Secretary Jessi O'Donald