

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
April 18th, 2024, 7pm
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors; Daniel Mohr, John Zgura, Angela Ashbrook; Manager Edward Carter; Planning Coordinator Brian Miller, Solicitor Marc Fisher, Secretary/treasurer Jessi O'Donald

Meeting called to order at 7:00 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.

Join us in a moment of silence for resident and longtime community advocate Henry Kradjel. Henry passed on April 7th at the age of 94. Henry owned the store in the village of Zionsville. Mr. Kradjel was a member of the Township's Planning Commission for forty-four (44) years, serving as Comprehensive Plan Committee Member through several revisions over the years. Mr. Kradjel served as the Township's Zoning Officer during the 1980's and was elected and served as a member of the Board of Supervisors from 2004-2010

PUBLIC INPUT:

Frank Kuklis – Mill Rd – Frank spoke about the provisions for Townships for Trucks on smaller roads and asked again about the signage for Mill Rd.

Supervisor Mohr stated that No Truck Signs are illegal unless they limit length and weight.

Manager Carter is looking into where the signs can be relocated to adjust for viewing.

ACCEPTANCE OF MINUTES:

Approval of April 4th, 2024, regular meeting minutes.

MOTION: Supervisor Ashbrook made a motion to accept the April 4th, 2024, minutes as presented. Supervisor Mohr seconded the motion. Hearing no questions or comments, both were in favor, Supervisor Ashbrook abstained, motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **22982 to 23011** in the amount of **\$70,853.22**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's. 2024-027 to 2024-029

MOTION: Supervisor Mohr made a motion to pay the bills as read and acknowledge the bank transfers. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

SOLICITOR'S REPORT:

PLANNING COMMISSION – NEW BUSINESS:

- 1.) Contingent Final Approval for Kay Builders-Twin Run Development
 - a. Letter from Planning Coordinator Brian Miller

At their Meeting March 4th, 2024, the Planning Commission recommended Final Plan approval contingent on addressing all outstanding Items noted in the Ott Consulting review letter dated February 26th, 2024, all required outside agency approvals & payment of any fees due to the Township. Since that time the applicant has revised the plan to address several of the comments in the Ott review letter and received a 3rd Final Plan review letter dated April 15th, 2024. It would be customary to create a resolution for final plan contingent approval at this time.

There was a brief discussion on readiness and items needing to be completed. Lauren Haponski asked how a new development can be considered when the builder has two that are not finished. Solicitor Fisher stated that the township has to legally view them as separate entities for each development or project proposed.

MOTION: Supervisor Zgura made a motion to grant contingent approval with the following, 1.) Compliance with all items in the Ott Engineering letters dated 2/26/2024 and 4/15/2024, 2.) Signed agreement for outstanding letter items. 3.) All security posted 4.) All outstanding fees paid 5.) preparation and execution of the HOA agreement, 6.) Compliance and agreement with Resolution 2024-026 to be drafted and accepted as modified by the subdivision plan. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

OLD BUSINESS:

- 1.) Fire Company Funding Discussion

Chairman Zgura asked everyone to hold their comments until the Board was able to have a discussion, then comments would be heard.

Supervisor Ashbrook talked about the discussion at the PSATS conference regarding Volunteer Fire and funding concerns. Upper Milford is one of a few Townships that has not instituted a fire tax to provide funding on some level for the Volunteer Fire Company.

Supervisor Ashbrook spoke about the Fire Company filings being posted on Guidestar.org and how Citizen's Fire couldn't be found right away. She expressed concerns that the filing wasn't there. Treasurer O'Donald reached out to the Fire Company, and they weren't sure what was filed that they did have some catch up to do prior, but they are caught up and everything was with the accountant's office for filing but they weren't sure what they filed or how it was filed. The Fire Company Treasurer said they would look at the files and let us know. In the meantime, Treasurer O'Donald contacted the Fire Company's Accountant's office and was given the link for the GuideStar.org listing. It was input very specifically and was not found in a normal search. 990 filings were found for the years 2020, 2021, 2022. Supervisor Ashbrook questioned the 2023 filing. It was stated that the 2023, 990 filing wasn't due yet so it was still at the accountant's office and after that there would be a time for the

government to accept the filing and then time until it's uploaded to GuideStar.org. She asked if it was possible to ask for a copy from the Fire Company when it comes back from the accountant.

Manager Carter explained that staff didn't need a number but directions to start working toward this funding. There were numbers provided so the Board could see how different millage rates would affect residents tax bills and how much each level would produce in revenue. Treasurer O'Donald went through some of those numbers.

As Chairman Zgura asked each Supervisor for their thoughts on the matter. Colt Hershinger became angry and claimed the Board was violating the Sunshine Act as they had not yet heard public input on the matter. Solicitor Fisher tried to explain that the Board could discuss matters and hold public input at the beginning of the meeting only if they chose as that give the public a time to comment on anything on the agenda at that time, but Upper Milford allows more public input, and nothing had been decided yet.

Lauren Haponski stated that where she currently lives there is a Fire Tax, and she is comfortable with that as she then understands where the money is directed and feels that it makes the Volunteer Fire Company more transparent and accountable to the taxpayer. She also feels that there needs to be more education of the public as to the needs of the Fire Companies.

Chief Kline was concerned about the volunteers being taxed to Volunteer and if there was any provision for exemption. There was a brief discussion about how many of the roster lives within the Township pays real estate taxes and if an exemption would be beneficial or just more paperwork. He also asked about prevailing wage rules if the Township provides more funding for the items the Fire Company needs. He asked how all of this will work.

Phil Casey talked about how this conversation has been ongoing and the President of the bank state the last meeting the Township wasn't getting enough information from the Fire Companies. The Township still doesn't have an accurate accounting of the Fire Company funds.

Chief Kline stated the Fire Company is willing to give the Township whatever documentation that is requested. They have already given an account of all of their accounts when they presented the need for the new truck and the building.

There was a discussion on Audits. Treasurer O'Donald stated that she has had a hard time getting anyone to call her back about the cost of audits as it is tax season.

The Board was open to looking into a volunteer exemption.

Ben Kohler was in support of a Fire Tax as he felt it was a very open way of showing where the money would go and being able to track it better.

Joe Sherman talked about the cost increases of trucks. In 1983 the cost was \$125,000.00, in 2014 that cost increased to \$500,000.00 and now in 2024 the cost is \$1.4 million dollars to have a truck built and received two years from today. That cost increase has gone up faster than any amount of fundraising a Fire Company can do while still responding to calls.

Colt Hershinger was very concerned about the prevailing wage and how that translated to the Fire Companies with the Township providing more support financially.

Frank Kuklis asked about the numbers and was in support of the increase just wanted clarification on numbers and amounts.

The Board of Supervisors directed Staff to present numbers showing how the increase would show in a budget line item. Treasurer O'Donald Said she would try to get those numbers together but will be on vacation next week.

NEW BUSINESS:

- 1.) Resolution 2024-023 Behnke Preservation (preservation documents approved March 7th)

MOTION: Supervisor Mohr made a motion to approve Resolution 2024-023 for the Behnke Preservation. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Resolution 2024-024 Salem Bible Church Road Cross Pipe Replacement Budget Adjustment

This resolution adds the engineering cost into the 2024 budget and transfers the funds from the New Tripoli Money Market account to the General Fund for the invoice payment.

MOTION: Supervisor Mohr made a motion to approve Resolution 2024-024. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

SUBDIVISIONS – IMPROVEMENTS:

- 1.) Brookshire time extension until June 8th, 2025.
 - a. letter from Joseph Steinheiser of Judd Builders.

Judd Builders is requesting a one (1) year extension to the Improvements Agreement for the Brookshire Major Subdivision that is expiring on June 8, 2024. Judd Builders has completed all the improvements in the Brookshire Subdivision, including top paving the roads, but this extension will allow time to complete outstanding or deficient items as part of the dedication and acceptance of the improvements.

Manager Carter explained that there is still a basin to be finished. Frank Kuklis asked again about only granting a sixth month extension. It was explained again that it cost money to grant an extension and with items being dependent on weather why have the developer keep coming back to just ask again in six months.

MOTION: Supervisor Mohr made a motion to grant the requested time extension until June 8th, 2025, for the Brookshire development as requested by Judd Builders. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Stone Ridge Estates time extension until June 15, 2025.
 - a. letter from Judy Daddona of Double D Lehigh LP

DDL is hereby requesting a time extension to allow ample time to complete the improvements for the Stone Ridge Estates major Subdivision until June 15th, 2025. The irrevocable letter of credit is in the process of being renewed.

MOTION: Supervisor Mohr made a motion to grant the time extension for the Stone Ridge Estates major Subdivision until June 15th, 2025, as requested in letter dated April 16th, 2024, from Judy

Daddona. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

CORRESPONDENCE: None

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report: No Report

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: Report on website

Fire Companies: Chief Bawden stated the next meeting on the Truck Specifications is April 27th. He will make sure the Board gets a copy of the Specs after that.

Emmaus Library: Lisa Marten reported that there were 500 eclipse glasses handed out and 60 people watched the Nasa watch party from the library during the eclipse. The glasses are now being collected to be sent to the next part of the world to be handed out to watch the next eclipse. Friday and Saturday will be the Friends of the Library book sale held at the library.

Recreation Commission: Next meeting May 20th at 7pm at Jasper Park

Township Manager:

Bud Carter – No Report

Supervisors:

Daniel J. Mohr – Dan and Angie were out at the PSATS conference this past week. They each sat through seminars on Volunteer Fire and the concerns that many Townships are having. He asked about the 2% loan program and if the maximum amount of \$250,000.00 would be raised at all. He was told only to about \$300,000.00 which still isn't enough to loan for a truck. The concern from the administrators of the loan program is that there isn't enough to go around if they raise the maximum too high, they may lose the whole program. It has been talked about the need to replace trucks every 10 years, however, that isn't a rule, and trucks can be used longer if still viable, as Pennsylvania isn't an NFPA state. There was also talk about how there isn't enough tractor Trailer Parking for the drive time rules and Townships are having to look at permitting parking areas for Driver down times. At least Upper Milford Doesn't really have the terrain for those staging and parking accommodations.

Angela Ashbrook – No Report. Supervisor Ashbrook also attended the PSATS Conference and Dan summed up the information well.

John D. Zgura – Earth Day is this weekend at Community Park from 9-11am. John also wanted the agenda for the next meeting to have a deadline discussion on it.

EXECUTIVE SESSION: - Not needed.

ADJOURNMENT: Meeting was adjourned at 8:29 pm.

Chairman John D. Zgura

05/02/2024
Date

Secretary/Treasurer Jessi O'Donald