

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
May 2<sup>nd</sup>, 2024, 7pm  
REGULAR MEETING MINUTES

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

Pledge of Allegiance to the flag.

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:**

**Colt Hershinger of Saint Peters Road** – He met with a lawyer about the Sunshine law. He wanted to let us know that where we do a lot right, there are things we do wrong. Colt claimed that we need to allow public input every time there is a vote on something, and that people cannot be silenced if they stand up and say there is a violation of the sunshine act being committed. He stated if there was anyone that didn't want people to speak, they should resign. No one should intimidate anyone not to speak and anyone can record the meeting without announcing it.

**ACCEPTANCE OF MINUTES:**

Approval of April 18<sup>th</sup>, 2024, regular meeting minutes.

**MOTION:** Supervisor Mohr made a motion to accept the April 18<sup>th</sup>, 2024, minutes as presented. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's. **23012 to 23046** in the amount of **\$19,085.84**

**STREET LIGHT FUND:**

PLGIT XXXX7125 - Check No. **1404** in the amount of **\$454.46**

**FIRE HYDRANT FUND:**

PLGIT XXXX7 - Check No. **1017** in the amount of **\$2,951.55**

**ESCROW FUND:**

PLGIT XXXX7109 - Check No. **183** in the amount of **\$1,529.40**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer No's. 2024-030 to 2024-034

**MOTION:** Supervisor Mohr made a motion to pay the bills as read and acknowledge the bank transfers. Supervisor Ashbrook seconded the motion. Phil Casey asked about the Old Castle Bill, Manager Carter stated it was for Playground Chips, hearing no further questions or comments, all were in favor, motion carried.

**SOLICITOR'S REPORT:** No Report

**OLD BUSINESS:**

1.) Fire Company Funding Discussion

Supervisor Zgura asked the audience to hold their questions and comments until the Board of Supervisors was done discussing the matter at hand, then comments will be taken.

Supervisor Zgura started the conversation saying he was in favor of the Fire Tax so the funds can't be used for anything else but Fire Service. He noted that donation might drop a bit and if they do, amounts of revenue can be revisited if needed.

Supervisor Mohr was against the Fire Tax and feels it should be just in the general fund budget like it has always been. He feels that either way amounts can be changed.

Supervisor Ashbrook also feels that the Township should go with the Fire Tax for accounting reasons. Upper Milford is also one of a dwindling few Townships that do not have Fire Taxes to support the Volunteer Fire Companies.

Jim Krippe – Mentioned the Local Services Tax and asked if that tax would go to something else.

Note: LST needs to go toward emergency services by 25% of collected revenue and over 50% goes toward the Ambulance service at present.

Alicia DuPloy asked if someone would be doing a financial risk assessment for future apparatus expenditures?

There was a continuing discussion on how the money would be distributed and if it would be saved or spent and if the savings could still take advantage of the extra interest accounts through PLGIT along with prevailing wage concerns.

Supervisor Ashbrook stated there would be a cap on the expense accounts and the rest would be saved for future large purchases. The extended investment accounts would still be utilized for the savings if appropriate.

Solicitor Fisher explained that the prevailing wage concern would be something the Fire Company would have to investigate with their council. The Fire Company is not a public entity, but they do receive public funds, so that is something they must answer with their advisors.

Supervisors Zgura and Ashbrook directed staff to create a draft budget with a Fire Tax. Supervisor Mohr disagreed and would still like to see a budget with the Fire Company amounts in the General fund. He made sure that the others could still change their mind and that staff understood if they changed their minds the budget would need to be reworked. Staff understood.

Phil Casey asked for clarification on the millage rates and if the Fire Tax is shown separate would that mean the General Fund revenue would be less. It was confirmed that the Fire Tax millage would be shown separately, and the General Fund Millage would be adjusted accordingly.

Supervisor Ashbrook asked if there would be a budget meeting like in Macungie where the budget is gone over line by line.

Secretary O'Donald explained that the Board will be given the Draft Budget at the first meeting in October, and they can discuss anything they would like to at the second meeting in October. The tentative budget would then be adopted at the First meeting in November and advertised for the public to see and the public could ask any questions at the second meeting in November prior to the final adoption of the budget.

Supervisor Ashbrook stated she will ask again later about a budget meeting. Alica DuPloy stated she would be interested in participating in the budget meeting.

### **NEW BUSINESS:**

#### 1.) Resolution 2024-025 – Workers Comp Acknowledgement

This is the annual resolution acknowledging Fire Company volunteers and volunteer activities as required by insurance regulations.

**MOTION:** Supervisor Mohr made a motion to approve Resolution 2024-025 Worker's Comprehensive Acknowledgement for the Fire Company Volunteers. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

#### 2.) Resolution 2024-026 – Agreement for Twin Run

There was a brief discussion on the ability to require developers to provide for the residents of the community they will be building. Supervisor Ashbrook asked what needed to be changed to prevent concerns like this again. Brian Miller stated this was all worked out over a long period of time. Solicitor Fisher explained that each development needs to be looked at legally as separate and if the developer meets the zoning and SALDo requirements they are allowed to continue. Supervisor Ashbrook is still concerned about the recreation area or lack thereof. There Township Ordinance allows for a fee in lieu of payment if the developer chooses. Supervisor Mohr stated he likes the fee in lieu of recreation as it keeps the parks centralized and that keeps maintenance costs down.

**MOTION:** Supervisor Mohr made a motion to approve the agreement for The Twin Run Development of Kay Builders Resolution 2024-026. Supervisor Zgura seconded the motion. Hearing no further questions or comments, Zgura and Mohr were in favor Ashbrook was against, motion carried.

#### 3.) Meeting Deadline discussion

Supervisor Zgura had wanted this on the agenda. He has since spoken with Brian Miller and asks that items be placed on the agenda and given to the Supervisors as soon as possible for them to review. Everyone agreed that they would get things to the Supervisors as soon as possible.

#### 4.) Discussion of Alburtis Borough Yard Waste

Manager Carter was asked by Alburtis Borough if it would be possible to develop an agreement for Alburtis residents to use the Upper Milford Yard waste site. There was a brief discussion, and it was determined that Alburtis residents using the Upper Milford yard waste site would be a lot for the Township to take on with room and manpower. It was not something the Board was interested in looking into.

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

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

**PLANNING COMMISSION – NEW BUSINESS:** None

**SUBDIVISIONS – IMPROVEMENTS:** None

**CORRESPONDENCE:** None

**OTHER ISSUES:** - None

**REPORTS:**

Emergency Services Committee Report: No Report

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: No Report

Fire Companies: Chief Bawden reported that the committee for the fire truck met with Rosenbaum again but had to rework some things and they didn't have the numbers on the truck yet except for an estimate in the high 1.3-million-dollar range. As soon as they have the estimate, he will get it to the Township.

Emmaus Library: In the middle of 2020 the Emmaus Public Library joined with a group of local Libraries to give access to a greater list of resources to area residents. Now they are joining with another 7 libraries in the greater ABE area to extend that list of resources even more for members.

Recreation Commission: Next meeting is May 20<sup>th</sup> at Jasper Park

Township Manager:

Bud Carter – No Report

Supervisors:

Daniel J. Mohr – No Report

Angela Ashbrook – No Report

John D. Zgura – No Report

**EXECUTIVE SESSION:** - Not needed.

**ADJOURNMENT:** Meeting was adjourned at 8:11 pm.

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Chairman John D. Zgura

05/16/2024

Date

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Secretary/Treasurer Jessi O'Donald