

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
June 6th, 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:

Moment of Silence for Susan J. Smith who passed away on May 17th. Susan was a member of the Upper Milford Township Planning Committee for 37 years and an Elected Supervisor from 2000 through 2006. Susan was a strong advocate for Upper Milford Township Fire Companies, and open space.

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:

Frank Kuklis, 4190 Shimerville Rd – Frank attended the Turnpike Commission Open House at the high school. He asked a lot of questions and was disappointed that the people present didn't have more answers for him. He feels the Township should keep pushing to get what the township thinks is best with the expansion. Especially if the Township needs money for upgrades along the local routes like traffic lights if the traffic will be pushed from patterns now into changing patterns. He is also concerned about an LCA sewer line that will end up buried if they fill in the area under the bridge on Mill Rd.

Mark Feiertag, Swamp Rd - Mark stated that he doesn't see eye to eye with Alan. and that Alan isn't allowed to go back to his property. He had a complaint filed against him for what he is doing to his property. He stated he met with Alan prior to doing any work and Alan showed him a flood map. He spoke about wetlands and marsh areas. He stated that his neighbors are happy with the beautification he is doing on his property. He was filling in a low wet area to put up a pole building to house antique cars and equipment. He talked about a letter he received about his tow truck being in the driveway and how he shouldn't have his antique tow truck in his driveway while others have commercial vehicles in their driveways. He passed out some papers to the Board and let them know he was working on a plan for permits.

Jim Krippe, Mill Rd – Jim asked about the zoning officers and stated that Alan is listed as working in Emmaus and Kyle isn't listed at all. He also stated that There are concerns on a property on Mill Rd that isn't being addressed, but they are sending letters to Mr. Feiertag.

Chris Pierog, 3802 Churchview Rd – Chris is concerned with the speed of traffic on Churchview Rd and the intersection at Churchview and Geho Rd. He asked about a stop sign there to help with traffic at the intersection. He also spoke about the yields or stops at the Railroad Crossing.

Supervisor Zgura mentioned that this was the PennDOT portion of Churchview Rd and asked Manager Carter to reach out to PennDOT and ask what can be done.

Jim Krippe, Mill Rd – He questioned the minutes from the 5/2 meeting where he spoke about the Local Services Tax and how he stated that 25% needed to go to the Fire Company. He didn't like that he was not quoted in the minutes and that there was a note about how much of the LST goes to the Ambulance Corps.

ACCEPTANCE OF MINUTES:

Approval of May 16th, 2024, regular meeting minutes.

MOTION: Supervisor Mohr made a motion to accept the May 16th, 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. **23077 to 23124** in the amount of **\$69,939.51**

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. **1406** in the amount of **\$3,267.11**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's. 2024-038 to 2024-043

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: No Report

OLD BUSINESS: None

NEW BUSINESS:

1.) Resolution 2024-027 - 4549 Linda Lane O&M

The standard required Operations and Maintenance agreement for the necessary Storm Water plan.

MOTION: Supervisor Mohr made a motion to approve Resolution 2024-027 for 4549 Linda Lane Stormwater O&M. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

2.) Discussion – Resolution 2024-Draft Fire Company funding procedures

The Board had a discussion on how accounts should be held and administered. Supervisor Ashbrook would like to see everything in one account and the Board be able to decide what is spent so there is a hope of not paying interest on vehicle loans. Supervisor Mohr is adamant that the accounts be held separately so the Fire Companies can see what is in their accounts and understand how they need to plan for their upcoming expenses. Manager Carter explained that the Resolution was drafted based on what is currently being done and explained that staff wanted the Board to give their input before staff met with the Fire Companies to get their feedback. Secretary/Treasurer O'Donald explained that at this time she did not have the impression the Township was funding

everything at 100% for the Fire Companies. Her thoughts were that one Fire Fund Budget with line items for each Company and separate accounts would make this easier to plan for upcoming expenses. The discussion has been about large vehicle purchases but there are also radios, bunker gear and air packs that have been bought over the years through the Capital Reserve funds for the Fire Companies. Her concern would be how to make sure funding was equitable down the road if both companies came in at the same time for equipment replacements. The Draft Resolution was based on those thoughts for the Board to discuss.

Chief Kline mentioned that both companies are willing and able to respond and provide aid to outside companies when needed. Prior they were not called to assist in certain areas and that is now happening.

Phil Casey mentioned that mergers happen all the time and maybe it's time for the fire Companies to decide they should merge or hire an administrator to have these discussions so that the Board of Supervisors would not have to discuss this all the time.

Jim Krippe mentioned that the ESC is structured to have these discussions to bring a recommendation to the Board of Supervisors.

Manager Carter noted that the ESC was part of the draft resolution.

Supervisor Mohr remembers when Emmaus lost so many of their volunteers due to forced restructuring.

The Board directed Staff to speak with the Fire Companies and then bring back their feedback for the resolution.

3.) Resignation of P. Hall from Recreation Committee

Pam Hall has offered that her work commitments keep her from attending the Recreation Committee meetings and if there is someone willing to participate, they should take her term.

Motion: Supervisor Mohr made a motion to accept Pam Hall's resignation from the Recreation Committee. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor. The Board Thanked her for her service.

4.) Appointment of J. Hayes to Recreation Committee to fill term until 1/02/2030. a. memo from Secretary O'Donald

James Hayes has been attending the Recreation Committee meetings as a representative for UMYA for the last year. He has submitted his volunteer application to become a Recreation Committee member. The Recreation Committee recommends James Hayes to the Board of Supervisors to fill the remainder of Pam Hall's term until January 2025.

MOTION: Supervisor Mohr made a motion to appoint James Hayes to fill the open term on the recreation Committee until January 2025. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

5.) 2025-2028 Lehigh Valley TIP Discussion

on page 22 of the TIP, map #36, describes the Shimerville Hill Safety Improvements as "add left turn lanes at the RT 100/Rt 29 intersection, upgrade signals at Rt 29 / 100 Saint Peters/Shimerville Rd. RT 29/Buckeye Rd. and Route 29/Colebrook Rd". SR 29 was essentially cut in half due to funding. The current project now in final design includes SR 29 from Colebrook Road south to just north of the

SR 100 intersection and does not include adding left turn lanes at the RT 100/Rt 29 intersection, or upgrading signals at Rt 29 / 100 Saint Peters/ Shimerville Rd. Upper Milford has voiced major concerns for over 50 years with Penn DOT & LVPC on the stretch of RT 29/100 that has been cut from the current project. 2015 -2016 The Berks County & Delaware Valley Regional Planning Commission depict RT 29 & Rt 100 as a congested corridor and a major truck & transportation corridor along the County line in their Congestion Management Plans. LVPC completed the Lehigh Valley CMP and did not address the RT 29/100 route as one of 15 congested corridors or major truck corridors in their plan. The Congestion Management Plan is a planning tool to help determine where transportation investments are made in the Lehigh Valley. More recently, in 2017 Penn DOT discussed extending the timing of the traffic light to ease congestion on RT 29/100. Through an LTAP review concerns were made about the safety issues with the backup already occurring on Shimerville Road 600' from the traffic light at the curve with limited sight distance. LTAP recommendations were: Talking to Penn DOT about trimming/removing vegetation that helps limit sight distance at the curve. Modernizing the traffic signal with adaptive control, replacing the old span wire installation with new signal heads on mast arms. Continuing to work with LVPC & Penn DOT on long term solutions for and plans for the congestion in the corridor. Looking into the green light go program for additional funding. Adding advanced warning traffic signal signs & backing plates with reflective tape to the existing traffic signals. 2018 - 2019, the Township pursued future TIP inclusion & Green light go funding for upgrading the intersection. LVPC noted that the intersection upgrading was already part of the approved TIP & the Green light go funding to be used towards upgrading the intersection & traffic signals was denied because Penn DOT was concerned the project was focused on serving the side streets and would only worsen the already poor operation of the mainline (Rt 29/100). • March of 2023, LVPC transportation needs assessment meeting, we were once again told that the traffic signal at Rt 29/100 & Shimerville Road and the Rt 29/100 intersection were part of the Tip. I followed up with an email to LVPC addressing our concerns with the RT 29 safety project not addressing this area. May of 2024 Draft TIP released for comment, it states that the current Shimerville Hill Safety improvement project includes adding left turn lanes at the RT 100/Rt 29 intersection & upgrade signals at Rt 29 / 100 Saint Peters/ Shimerville Rd. In an email with LVPC & Penn DOTs Project Manager for the Shimerville Hill Safety Project they tell us that a future project will have to be added to the TIP to upgrade SR 29 from SR 100 southward through Shimerville/St. Peters to Kings Highway South. While we are pleased with the current direction of the Shimerville Hill Safety Project, we have concerns that without any improvements at the junction of RT 29 & 100 & the Shimerville Rd intersection additional congestion will be created at intersections that are frequently backing up 3/4 of a mile in each direction from the intersection at Shimerville Rd on RT 100 North, Rt 100/29 North & South. The safety project will reduce congestion in the area of Buckeye & Colebrook Road and allow traffic to flow through that area faster, there will be an increase in congestion to the area at the southern end of the safety project, possibly causing additional safety issues in the locations of the congestion from the Shimerville intersection & traffic light. Air quality & safety enhancements would be created if the congestion was reduced with improvements at the intersections. I also believe that enhanced adaptive traffic light controls would be the way to deal with the fluctuating peaks in volume at the Shimerville Road intersection. I would ask how many other state road intersections in the Lehigh Valley are being used by over 23,000 vehicles a day without turning lanes that have 3 separate controlled directions, because Shimerville Rd. & Saint Peters Road do not allow traffic movement at the same time. If due to funding, the Shimerville Road intersection & the Route 29/100 intersection improvements have been excluded from that project and are now being removed from the tip, a second phase or second project really needs to be added somewhere in the funding sources to address these issues.

There was a brief discussion. Staff were directed to send a letter with comments to LVPC.

6.) Mill Rd Traffic Study Discussion

Manager Carter reported that he reached out to Peter Terry, the Township's traffic engineer. He gave an estimate of \$3,000.00 for the traffic study on Mill Rd to address the Truck concerns. With now seeing the Turnpike plans and that section of Mill Rd in discussion of closure. He asked to wait on the study as to not incur costs if there is a possibility that there will be changes to Mill Rd and the truck traffic may be fixed by that.

The Board thought it was a good idea to hold off on the traffic study until the Township knows what will happen with the Turnpike plans.

7.) Resolution 2024-028 – 5072 Hunter Lane O&M

The standard required Operations and Maintenance agreement for the necessary Storm Water plan.

MOTION: Supervisor Mohr made a motion to approve Resolution 2024-028 for 5072 Hunter Lane. 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

PLANNING COMMISSION – NEW BUSINESS:

- 1.) Upper Saucon Twp Zoning Amendment to Comp Plan
 - a. Letter from Planning Coordinator Brian Miller

At their Meeting June 3rd, 2024, the Planning Commission reviewed the attached Upper Saucon Township Recreation & Open Space Plan Amendment as requested from Trisha Lang, Director of Community Development for Upper Saucon Township. The Planning Commission had no concerns or comments and recommended thanking Upper Saucon Township for the chance to review the amendment. If you agree, a letter is attached and will be sent to Upper Saucon Township.

MOTION: Supervisor Mohr made a motion to send the letter to Upper Saucon Township. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Time Extensions for Dunkin Donuts & Goldstein Subdivision until December 31, 2024.
 - a. Letter from Planning Coordinator Brian Miller

At their meeting June 3rd the Planning Commission recommended time extensions through 12/31/24 for the following: Dunkin Donuts 4054 Chestnut St. Land Development and Goldstein Subdivision. The Current timeframes are due to expire on 6/30/24. If you agree, the Solicitor and I will complete the process with the applicants.

MOTION: Supervisor Mohr made a motion to grant the time extensions in accordance with Planning Coordinator Brian Miller's letter through December 31st, 2024. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 3.) MRF Real Estate, 4054 Chestnut St Plan
 - a. Letter from Benchmark Civil Engineers

On behalf of Achama Real Estate, LLC, the current owners of 4054 Chestnut Street, who are developing the site as a Dunkin Donuts Store, we are hereby withdrawing the previously approved plans for 4054 Chestnut Street by MRF Real Estate.

MOTION: Supervisor Mohr made a motion to approve the withdrawal of the Achama Real Estate LLC approved plan. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

SUBDIVISIONS – IMPROVEMENTS: None

CORRESPONDENCE:

- 1.) Request from UMYA
Letter from President Matthew Mecouch

The Upper Milford Youth Association (UMYA) is seeking permission from Upper Milford Township to host a soccer camp from Monday, July 29th to Thursday, August 1st. The time of the camp each day would be approximately 5:30PM – 8PM. The area used would be the Jasper Park soccer fields. No pavilions or other areas of the park would be needed other than the restrooms.

This is different from normal UMYA activities in that the camp provider is a private company called Perfect Touch Soccer, who provides professional soccer coaching around the Lehigh Valley. The benefit to UMYA families would be a discount to participate in the camp and the convenience of having the camp at our home fields. I have provided a Certificate of Insurance from Perfect Touch Soccer, naming Upper Milford Township as additional insured.

Supervisor Zgura requested Background checks along with the certificate of insurance. Secretary O'Donald has already received the certificate of insurance listing Upper Milford Township as Additional Insured.

MOTION: Supervisor Mohr made a motion to approve the use of the park as requested contingent upon Perfect touch providing background checks and maintaining the certificate of insurance with Upper Milford listed as additional insured. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

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 Kline wanted to thank Station #28 for all their help with the fires on Friday.

Emmaus Library: Lisa Marten reported that the Summer Reading Program has started with a lot of sign-ups.

Recreation Commission: No Report

Township Manager:

Bud Carter – No Report

Supervisors:

Daniel J. Mohr – Vera Cruz Community Association is still gathering ads for the book. Please reach out to Dan. The Large Flowerheads are unable to perform that day, so they have contracted a new band. The name will be announced in the advertisement.

Angela Ashbrook – No Report

John D. Zgura – No Report

EXECUTIVE SESSION: - Not needed

ADJOURNMENT: Meeting was adjourned at 8:25 pm.

Chairman John D. Zgura

June 20th, 2024
Date

Secretary/Treasurer Jessi O'Donald