

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

ATTENDANCE: Supervisors: Daniel Mohr & Angela Ashbrook, Planning Coordinator Brian Miller, Solicitor Marc Fisher, Secretary/Treasurer Jessi O’Donald Absent: Supervisor Zgura, Manager Bud Carter

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.

Upper Milford Board of Supervisors held an executive session July 11th, 2024, at 2:00 pm to discuss a Legal Matter.

PUBLIC INPUT:

Charles Ballard – 3348 Hope Dr – He had two concerns, one was the way in which the ASA review was handled compared to Act 43 of 1981, the second was Service Electric Cable and his request of the Township to do an audit of services as he feels he is paying too much for what he receives and in his account there is no competition within the Township.

ACCEPTANCE OF MINUTES:

Approval of June 20th, 2024, regular meeting minutes.

MOTION: Supervisor Ashbrook made a motion to approve the June 20th, 2024, minutes as presented. Supervisor Mohr seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

RATIFICATION OF BILLS From July 8th, 2024:

GENERAL FUND:

PLGIT XXXX7096 - Check No’s. 23161 to 23198 in the amount of \$156,905.03

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. 1407 in the amount of \$ 2,772.16

APPROVAL OF PAYMENT OF BILLS for July 18th, 2024:

GENERAL FUND:

PLGIT XXXX7096 - Check No’s. 23199 to 23219 in the amount of \$ 128,356.05

HIGHWAY AID FUND:

PLGIT XXXX7112 - Check No. 2645 in the amount of \$250,000.00

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's. 2024-053 to 2024-056

MOTION: Supervisor Ashbrook made a motion to ratify the bills from July 8th, 2024, pay the bills as read for July 18th, 2024, and acknowledge the bank transfers. Supervisor Mohr seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

SOLICITOR'S REPORT:

1.) Hearing for ASA property removals - Resolution 2024-031

The hearing was opened at 7:11 pm and closed at 7:16 pm.

At their meeting June 11th, 2024, the Agricultural Security Advisory Board reviewed & recommended removing the properties on the attached map and list of properties that were once part of the previously approved & enrolled Agricultural Security Area in Upper Milford Township. Most of these properties have been subdivided from larger parcels in the Agricultural Security Area, they are all less than ten acres each and have been converted to residential use.

At their meeting June 3rd, 2024, the Planning Commission reviewed & recommended removing the properties on the attached map and list of properties that were once part of the previously approved & enrolled Agricultural Security Area in Upper Milford Township. Most of these properties have been subdivided from larger parcels in the Agricultural Security Area, they are all less than ten acres each and have been converted to residential use.

Solicitor Fisher gave an overview of the review process and answered questions. Supervisor Mohr had questions regarding Tax concerns for removed parcels. Planning Coordinator Brian Miller and Solicitor Fisher explained that there are no tax benefits associated with ASA inclusion, so no penalty to be withdrawn.

Charles Ballard of 3348 Hope Rd had concerns that the advertising was not done correctly and wondered how much the process cost the Township. He stated that he believed the advertising regulation hadn't been met for the resolution and asked why the County would force a review when it might not have been time for a review.

Solicitor Fisher noted that the advertisement was correct.

Donna Wright of the Lehigh County's Farmland Preservation was in the audience and stated that the county was working on new mapping and needing to update the records, so she was working with all the municipalities to get this done so there is up to date records and correct mapping.

MOTION: Supervisor Ashbrook made a motion to approve Resolution 2024-031. Supervisor Mohr seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

OLD BUSINESS: - None

NEW BUSINESS:

1.) Vera Cruz Fire Company's request to reinvest TERM Transaction.

a. Letter from Lucas Andrews

At the General Monthly Meeting of the Citizens Fire Company of Upper Milford Township on July 1st, 2024, the Company agreed to reinvest the \$142,000.00 (plus the interest it gained) into a PLGIT/TERM for a period of 180 days. If there are any questions or concerns feel free to contact Citizens Fire Company of Upper Milford Township. (total investment \$156,134.46)

MOTION: Supervisor Ashbrook made a motion to approve the roll-over of the Term transaction in the amount of \$156,134.46 into the 180-Day Term. Supervisor Mohr seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

2.) Acknowledgement of Larry Murphy as Special Fire Police

a. memo from Secretary O'Donald

Section 1914. Special Fire Police.-The board of supervisors may confirm any members of a volunteer fire company to serve as special fire police under the act of June 18, 1941 (P.L. 137, No. 74), entitled, as amended, "An act providing for the appointment, powers and control of members of volunteer fire companies as special fire police, and conferring powers on them at fires attended by their fire companies in any city, borough, town, township or home rule municipality." The chairman of the board of supervisors may swear in special fire police officers. (1914 amended Dec. 18, 1996, P.L. 1142, No. 172) (53 P.S. §66914

Section 1914 of the second-class township code allows the Board of Supervisors to confirm members of the Volunteer Fire Companies as Special Fire Police. Tonight, we ask you to confirm Larry Murphy of Western District Fire Company as Special Fire Police so that he may serve the Station and Upper Milford Township as the Western District Fire Police Captain.

MOTION: Supervisor Mohr made a motion to confirm Larry Murphy as Special Fire Police for Western District Fire Company. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

3.) Resolution 2024-029 Stormwater O&M for 4994 Macungie Mtn Rd

This is the typical agreement for an O&M for the stormwater plan. The owners of 4994 Macungie Moutian Rd have already agreed and signed. It is presented tonight for approval to be recorded.

MOTION: Supervisor Mohr made a motion to approve Resolution 2024-029 for the Stormwater O&M for 4994 Macungie Moutian Rd. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

4.) Resolution 2024-030 Local Services Grant – Fire Companies Request

This Resolution allows for Manager Carter and Secretary O'Donald to process the paperwork and sign the Local Services Grant Application.

MOTION: Supervisor Ashbrook made a motion to approve Resolution 2024-030. Supervisor Mohr seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

5.) Resolution 2024-032 Septic O&M Faith Dr

As requested at the June 20th, 2024, Supervisors meeting the Solicitor and I drafted an Agreement for the Well Isolation Distance Waiver for 3222 Faith Dr. Emmaus. The agreement requires yearly well water testing and the Muth's have completed background testing on July 10th, 2024, the testing

shows that the well water Meets the EPA & DEP drinking water standards. The Muth's have signed the agreement and would like the Board to execute the agreement so that they may continue forward with the installation of a new septic system. If you have any questions, please do not hesitate to ask.

MOTION: Supervisor Mohr made a motion to approve Resolution 2024-032. Supervisor Ashbrook seconded the motion. Hearing 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.) 7071 & 7095 Sell Road Lot line adjustment

a. Letter from Planning Coordinator Brian Miller

At their meeting July 1st, 2024, the Planning Commission reviewed & recommended approval for the 7071 & 7095 Sell Rd Lot Line Adjustment Plan. The Plan is an equal land swap that addresses adjusting the boundary where a garage and well location were encroaching onto a neighboring property. The plan has been reviewed by staff, all comments have been addressed, the new property corners have been set. The plan also has been reviewed by Lehigh Valley Planning Commission and was deemed consistent with Future LV (The Regional Plan). If you agree with the Planning Commission a motion for final plan approval can be made.

MOTION: Supervisor Mohr made a motion to approve the Lot Line Adjustment as presented. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

SUBDIVISIONS – IMPROVEMENTS:

CORRESPONDENCE:

1.) request to use Fulmer or Jasper Park from 8-10 on 8/3 for Glow in the dark adult kick ball

a. Email from Katie Siegfried

I am interested in finding out what the process is to rent a field at either Jasper Park or Harold Fulmer nature preserve. I am looking to plan a glow in the dark kickball game. *Aug 3rd 2024 (hopefully) *8-10pm *approximately 20-30 adults *no alcohol *will clean up after ourselves *will have individuals with flashlights to help guide players safely back to the main road at departure time. – Katie Seigfried

There was a brief discussion about neighbors, noise, the best place to have the game, and the need for waivers and what the liability risk is. It was decided that Staff will determine where the game is held depending on weather within Jasper Park. The Solicitor will draft a waiver. Katie will be responsible for turning in the waivers to the Township office the day prior to the game.

MOTION: Supervisor Mohr made a motion to allow the use of Jasper Park for the glow in the dark kickball game providing waivers are signed, there are no more than 30 people all of whom are adults and the game is held where directed by Township staff. Supervisor Ashbrook seconded the motion. Hearing now further questions, both 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: Report on website

Fire Companies: No Report

Emmaus Library: Lisa Marten reported that the summer reading program participants have logged 3400 hours of reading since June. There are 815 registered participants. The library director reported that since she has been at the library they have had 204 events with a total of 2944 attendees.

Recreation Commission:

Township Manager:

Bud Carter – In Bud’s absence Jessi thanked Public Works for all their hard work cleaning up after the storms and reported that Lenape Park is reopened and cleaned up.

Supervisors:

Daniel J. Mohr – Dan had someone tell him that people have been removing jasper from the Fulmer Preserve and asked about more signage of Park rules. He is also looking forward to the Vera Cruz Homecoming event at Mystic Chain and is still taking ads for the book. He hopes August is cooler.

Angela Ashbrook – No Report

John D. Zgura – Absent

EXECUTIVE SESSION: - Not needed

Dean Marks asked about a property on Corning Road and stated that it looks like a junk yard.

After a brief discussion, it was explained that he needed to fill out a complaint form for Zoning to look at the property. He was given a form.

ADJOURNMENT: Meeting was adjourned at 7:56 pm.

Vice Chair Daniel J Mohr

08/01/2024

Date

Secretary/Treasurer Jessi O’Donald