

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
March 20th, 2025, 7pm
REGULAR MEETING AGENDA

Publitz Packet

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.

PUBLIC INPUT:

- 1.) Lehigh County Executive – Phillips Armstrong
- 2.) Don Smith, Director of 911 System & Craig Breneiser consultant for radio system
- 3.) Petition for Leah Dr no parking request

ACCEPTANCE OF MINUTES:

Approval of March 6th, 2025, regular meeting minutes.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **23706 to 23743** in the amount of **\$101,973.03**

ACKNOWLEDGEMENT OF BANK TRANSFER:

Transfer No's. 2024-012

SOLICITOR'S REPORT:

OLD BUSINESS:

NEW BUSINESS:

- 1.) 6880 Tollgate Rd Preservation agreement for amount over County Cap - \$28,851.00
 - a. Letter from Brian Miller
- 2.) Authorization for Fire Service Tax Accounts
 - a. Letter from Secretary/Treasurer Jessi O'Donald
- 3.) Appointment for ZHB Alternate with term to expire January 5th, 2026
 - a. Memo from Manager Bud Carter
- 4.) Appointment for Recreation Committee term until January 5th, 2028
 - a. Memo from Secretary/Treasurer Jessi O'Donald
- 5.) PennDOT Lease Agreement – RESOLUTION 2025-025
 - a. Memo from Manager Bud Carter

6.) Playground Proposal for Lenape Phase II DCRN grant
a. Memo from Kyle Walbert

7.) Awarding of Road Work Bids for 2025
a. Memo from Kyle Walbert

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS:

1.) Dunkin Donuts time extension until –
a. Letter from Planning Coordinator Brain Miller

SUBDIVISIONS – IMPROVEMENTS:

CORRESPONDENCE:

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report:

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: Report on website

Fire Companies:

Emmaus Library:

Recreation Commission:

Township Manager:

Bud Carter –

Supervisors:

Angela Ashbrook –

John D. Zgura –

Daniel J. Mohr –

EXECUTIVE SESSION: - If needed

ADJOURNMENT:

AGENDA PART II:

UNFINISHED BUSINESS (NO ACTION ANTICIPATED):

OLD BUSINESS:

1. Morrissey Property Concerns

2. Open Space Update

3. Recreation Plan Update

4. Krause Property Concerns

END AGENDA PART II:

Upper Milford Township
Board of Supervisors
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March 6th, 2025, 7pm
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors: Daniel Mohr, Angela Ashbrook, John Zgura; 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:

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February 20th after the Regular Meeting the Board of Supervisors held an executive session to discuss a Real Estate Matter.

PUBLIC INPUT:

1.) Liesel Gross – LCA – 537 Update

Liesel Gross gave an update on the Kline's Island Sewer System update. This update is extensive and mandated by Pennsylvania DEP. This project will be financed through Lehigh County Authority and paid through a rise in fees for connected users. Lehigh County Authority had public informational meetings back in October for public comments on the plan. This plan has been worked on for a long time. The upgrades will take the treatment plant from 90-million-gallon capacity to 110-million-gallon capacity which will allow it to treat a large rain event. Upgrades are not only slated for the treatment plant but also the piping that is original to the system almost 100 years ago. Colt Hershinger asked about who will pay the bill. Liesel stated that the parcels that are connected to the system will pay through increased fees. Panim about Upper Milford's plans to extend the sewer system in the Township. Manager Carter stated the plan for expansion is only failing of lot septic systems and through developments as proposed. Liesel said that the Authority will be pursuing all available grants for this property.

2.) Jenna Fliszar – to introduce herself in bid for Lehigh County Judge

Jenna introduced herself and commented on her education, legal history and philosophy. She is campaigning for the new Lehigh County Common Pleas Judge position for the May Primary. She will be around after the meeting to answer questions.

Jim Krippe thanked for the correction of adding the agenda to the website for his review. He then discussed an on-Tank Farm Rd about the erosion control for the excavation of the burnt house. He was concerned about them pouring footing and that the contractor was parking to block Tank Farm Rd. He said they must have been talked to as the erosion control was finally put up, but he was still concerned about the parking.

Phil Vanim announced that he would be running for Tax Collector on the May primary. He will also be available for signatures after the meeting.

ACCEPTANCE OF MINUTES:

Approval of February 20th, regular meeting minutes.

MOTION: Supervisor Zgura made a motion to accept the minutes as presented. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carries.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **23662 to 23705** in the amount of **\$82,021.72**

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. **1416** in the amount of **\$403.55**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

No Transfers

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

SOLICITOR'S REPORT:

OLD BUSINESS:

NEW BUSINESS:

1.) Acknowledgement of Ag Security Application – 7571 Saint Peters Road
I received the attached Agricultural Security Area application for inclusion for the following 3 parcels owned by Michael C. Schaffer: PIN 547245968082-1, 7571 Saint Peters Road, 17 acres PIN 547255323020-1, 7542 Saint Peters Road, 2.3 acres PIN 547254554501-1, 7602 Saint Peters Road, 6.1 acres It would be customary for the Board to accept the application and direct the Township Staff & Solicitor to begin the process for inclusion into the Upper Milford Township Agricultural Security Area.

This is just an acknowledgement of the application and approval for staff to move forward in the process with the Ag Security Council. There was a question about access. There is an old road with a right of way to the parcel.

MOTION: Supervisor Ashbrook made a motion to acknowledge the application and have Brian Miller continue the application process. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Awarding Lenape Park Upgrade Phase One Bid
 - a. Memo from Township Manager Bud Carter

Bids for the Lenape Park improvements were received though Penn Bid. The township received 7 bids for improvements to the basketball, tennis/pickle ball courts and to install a new ADA walking trail and parking. Ott Engineering and Township Staff have reviewed the bids, and all other required documents. We would like to recommend that the bid for Lenape Park improvements be awarded to

the lowest bidder. Gaver Industries Inc, dbd Barker & Barker Paving, located at 910 14th Avenue Bethlehem, Pa 18018. For the totaled bid of \$436,842.75

There was a brief discussion.

MOTION: Supervisor Zgura made a motion to approve the Bid from Gaver Industries Inc, dbd Barker & Baker Paving for \$436,842.75. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

3.) Discussion of Fire Company Radios

As you are aware, Lehigh County is in the process of a major upgrade of its public-safety communications network intended to bring state-of-the-art capabilities to the first responders that serve your community day-in and day-out. The County plans to invest nearly \$46 million in this project over the 20-year anticipated life of this network.

In an effort to ensure these vital communications capabilities can be made available to those agencies serving your municipality as soon as the system goes into active service in late 2025 or early 2026, the County plans to make an initial bulk purchase of radio equipment needed to replace that which is in use today. While local government has the sole responsibility for provision of public-safety services in its jurisdiction, we recognize you may not have the financial resources immediately available to underwrite the costs of mobile and portable radios and installation, as required by your first responders. The County will fund this bulk purchase; however, reimbursement will be required from you either over an interest-free 5-year payback period or, if a longer term is desired, over a payback period of 10 years with interest calculated at a rate of 5%. You will be responsible for the purchase and financing of any additional equipment that is needed.

Enclosed with this letter is a summary of the emergency services agencies located within your municipality, an inventory of existing communications equipment provided by those agencies and an estimate of replacement costs. We know many emergency services have already begun meeting with equipment providers to receive formal quotes to address their needs. We ask that you work with your local agencies to finalize and provide these quotes to the County no later than March 31st, 2025.

While equipment provided by L3Harris is an integral part of the County's contract for the new communications system, any equipment to be procured from another vendor will need to be carefully reviewed to ensure compliance with Pennsylvania COSTARS contract pricing. It is the County's intention to provide bulk purchase orders no later than June 20, 2025. Equipment will be distributed before the end of 2025, with first payments due in 2026.

Please note: The County requires a repayment agreement to be executed once you and your agencies have submitted a final purchase inventory and formal cost quotation and before an order is placed.

There was discussion with the Supervisors about knowing and understanding the radio requirement and why the county is expecting an answer so soon. It was asked if someone from the County would speak to the Board about these fire communication radios. The audience questioned the longevity of the radios if the system isn't even installed yet. Supervisor Ashbrook questions if the infrastructure was installed to even get the radios functioning yet. There was discussion about the number of radios needed and why the two fire companies needed different equipment. Citizen's Fire Company provided their quote on the number and cost of the radios, while Western District did not submit a quote yet. It was determined that Philp Armstrong would be asked to explain about the need for the radios at the next meeting since he was scheduled to attend. Manager Carter will reach out to him to see if someone can explain and answer questions. Supervisor Ashbrook commented that there

should be discussion of merging fire companies in Upper Milford into one for financial and admin ease. She noted that it's not an accepted topic. Jim Krippe stated that this was not a new subject. Dan Mohr noted that there weren't bids until now so the Fire Companies were probably just as shocked. He thought the county was going to be paying for radios. John Zgura said there is money in their capital accounts and that he didn't want to see the Township take a loan for this expense but that it was going to be coming from the Fire Fighting money. He said that the Township has been very generous to the Fire Departments. There was a brief discussion on taking advantage of the 0% loan for the 5 years from the County. Phil Casey asked about a referendum vote to see what the community wants for fire service. He also asked about Starlink for the communication concerns. Daniel Mohr stated this was the 911 service communication. John Zgura stated this was the first time the Board saw the numbers. The subject was left with asking the county for information at the next meeting.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS: None

SUBDIVISIONS – IMPROVEMENTS:

1.) Credit Release #7 Fields at Indian Creek phase IV & V – in the amount of \$41,273.63

a. Letter from township Engineer Jeffery Ott

Irrevocable Letter of Credit Release Number 7

In accordance with the request for release of secured funds dated February 14, 2025, we the undersigned hereby certify that the improvements required in connection with the Phase IV & V Final Plan of Fields at Indian Creek, have been completed to the extent that the Irrevocable Letter of Credit can be reduced by the amount of Forty-One Thousand, Two Hundred Seventy-Three Dollars and Sixty-Three Cents (\$41,273.63), in accordance with the Subdivision Improvements Agreement dated August 30, 2019. This certificate authorizes the Peoples Security Bank & Trust Company to reduce said amount, namely Forty-One Thousand, Two Hundred Seventy-Three Dollars and Sixty-Three Cents (\$41,273.63) to owner or such other person as said owner shall designate. This authorization shall not be construed as final acceptance of improvements made to date.

In no event, shall the escrow fund for the construction improvements associated with the Fields at Indian Creek Major Subdivision Phase IV & V, be reduced to any amount less than Four Hundred Thirty-Six Thousand, Seven Hundred Fifty-Eight Dollars and Eleven Cents (\$436,758.11)

Supervisor Zgura confirmed that everything was inspected by the engineer's office as complete. Manger Carter confirmed that was correct.

MOTION: Supervisor Zgura made a motion to approve Credit Release No. 7 for the Fields at Indian Creek phase IV & V. for the amount of \$41,273.63 per Township Engineer Jeffery Ott's letter dated February 24, 2025. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

2.) Credit Release #2 Fields at Indian Creek Annex - in the amount of \$36,384.92

a. Letter from Township Engineer Jeffery Ott

Irrevocable Letter of Credit Release Number 2. In accordance with the request for release of secured funds dated February 14, 2025, we the undersigned hereby certify that the improvements required in connection with the Annex Phase Final Plan of Fields at Indian Creek, have been completed to the

extent that the Irrevocable Letter of Credit can be reduced by the amount of Thirty-Six Thousand, Three Hundred Eighty-Four Dollars and Ninety-Two Cents (\$36,384.92), in accordance with the Subdivision Improvements Agreement dated December 7, 2022. This certificate authorizes the Peoples Security Bank & Trust Company to reduce said amount, namely Thirty-Six Thousand, Three Hundred Eighty-Four Dollars and Ninety-Two Cents (\$36,384.92) to owner or such other person as said owner shall designate. This authorization shall not be construed as final acceptance of improvements made to date. In no event, shall the escrow fund for the construction improvements associated with the Fields at Indian Creek Major Subdivision Annex Phase, be reduced to any amount less than Forty-Eight Thousand Eight Hundred Eighty Dollars and Thirty Cents (\$48,880.30).

MOTION: Supervisor Ashbrook made a motion to approve Credit Release Number 2 in the amount of \$36,384.92, per the letter from Township Engineer Jeffery Ott dated February 25th, 2025. Supervisor Zgura seconded the motion. Hearing no comments or questions, all were in favor, motion was carried.

3.) Credit Release #1 Fields at Twin Run in the amount of \$175,563.81

a. Letter from township Engineer Jeffery Ott

Irrevocable Letter of Credit Release Number 1

In accordance with the request for release of secured funds dated February 14, 2025 (some items were adjusted per completed field conditions), we the undersigned hereby certify that the improvements required in connection with The Fields at Twin Run, have been completed to the extent that the Irrevocable Letter of Credit can be reduced by the amount of One Hundred Seventy-Five Thousand, Five Hundred Sixty-Three Dollars and Eighty-One Cents (\$175,563.81), in accordance with the Subdivision Improvements Agreement dated November 7, 2024. This certificate authorizes the First Northern Bank & Trust Company to reduce said amount, namely One Hundred Seventy-Five Thousand, Five Hundred Sixty-Three Dollars and Eighty-One Cents (\$175,563.81) to owner or such other person as said owner shall designate. This authorization shall not be construed as final acceptance of improvements made to date. In no event, shall the escrow fund for the construction improvements associated with The Fields at Twin Run, be reduced to any amount less than Three Million, Four Hundred Thirty-Eight Thousand, Seventy-Three Dollars and Twenty-Four Cents (\$3,438,073.24).

MOTION: Supervisor Zgura made a motion to approve credit release number 1 for the Fields at Twin Run in the amount of \$175,563.81 per Township Engineer Jeffery Ott's letter dated February 25th, 2025. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

CORRESPONDENCE:

1.) Request for Special Fire Police for the Seed Farm Plant Sale 5/10 & 5/11

a. Email from David Sell – Seed Farm Manager

My name is David Sell, and I am the Farm Manager here at The Seed Farm. I am contacting you to ask for the approval of Special Fire Police Assistance from the Vera Cruz Fire Department. The Seed Farm has been putting on an Annual Plant Sale event for the past 10 years. Last year The Seed Farm's Spring Plant sale had one of the best turnouts yet. The assistance by the Fire Department was integral to the success and safety of last year's Plant Sale.

The dates of this year's Spring Plant sale are Saturday May 10th and Sunday May 11th•

Saturday's hours are 9:00am - 3:00pm

Some people arrive before 9:00am

350 people made transactions by 12:00pm
Sunday's hours are 11 :00am - 2:00pm
Sunday is usually much less busy than Saturday
150 people made transactions between 11 :00am and 1:00pm

MOTION: Supervisor Zgura made a motion at allow the use of Special Fire Police as requested by the Seed Farm for the 2025 Plant Sale as listed in the email from David Sell Dated February 25th, 2025. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Request for the use of Japer Park pavilion June 16th-June 20th 8am to noon
 - a. Letter from Ribbons of C.A.R.E.

Alicai and a Representative from the nonprofit were in the audience. Ribbons of C.A.R.E. nonprofit organization, mission statement is to provide childcare relief to families battling serious medical conditions. We are interested in creating a summer park program for local families whose school aged children have a family member that has been affected by a life-threatening condition, like cancer. This pilot program is tentatively being worked on for June 16th - June 20th. We are in the process of gaining volunteers, performing necessary background checks and clearances to ensure the children's safety as our top priority. In addition to the park program, we plan to offer organized games, enrichment music, and art. Ribbons of C.A.R.E. does have insurance, along with blanketed coverage, for events like the pilot park program; documentation can be provided to the necessary entity. Ribbons of C.A.R.E. is excited to offer this to the community and is hopeful Upper Milford Township can partner with us by allowing us to conduct our program at Jasper Park but if not available a great secondary location, Lenape Park. We will request a 5-day pavilion rental from 8am to 12pm to ensure the children can have a snack and beverage that will be provided by us, and a shady location to relax. If you have any questions please contact Alecia Fegley, Founder of Ribbons of C.A.R.E.

The park program requests one pavilion rental for the week of June 16th from 8 am to 4pm. They will provide their insurance information and maintain adult to child ratios and not exceed 60 kids. This program is a drop-off program where caregivers can drop off their children to have fun in the park and be around others going through the similar experiences of a parent or guardian going through medical treatment. There was a discussion with the audience about the numbers of people and parking and damage to the park.

MOTION: Supervisor Ashbrook made a motion to allow the use of Jasper Front pavilion for June 16th through June 20 for the time specified plus set up and clean up at no charge to the nonprofit if ratios are maintained and no more than 60 kids, and insurance is provided. Supervisor Zgura seconded the motion. Hearing no further 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:

Emmaus Library: No Report

Recreation Commission: Survey will be live on March 12th. Printed copies are available for anyone that would want to fill them out without the use of a computer.

Township Manager:

Bud Carter – No Report

Supervisors:

Angela Ashbrook – Angela shared Olivia Fays thoughts on how to possibly write in some maintenance items for the winter in a SALDO Contract with the developers in the beginning of the development approval process.

John D. Zgura – Phil Armstrong will be here next meeting to ask questions of County and 911 business. Secretary O'Donald suggested that they give Phil Armstrong a list of questions so that he can get answers ahead of time. Colt Hershinger said they just wait until the meeting to let him answer. Supervisor Mohr stated he understood what Colt was saying but felt that Philps Armstrong isn't the one working on the system so he may not know the answers without some research anyway. Jim Krippe asked if Phil could be asked to bring the person who would know the answers.

Daniel J. Mohr – No Report

EXECUTIVE SESSION: - Not needed

ADJOURNMENT: Meeting adjourned at 8:29 pm

Chairman Daniel J. Mohr

3/20/2025
Date

Secretary/Treasurer Jessi O'Donald

UMT-GENERAL FUND
BOS Meeting AP Disbursements Report
March 20, 2025

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Paid Amount</u>
100.01 · PLGIT - General Fund Ckg			
03/20/2025	23706	7352 Salem Bible Church Road	-120.00
03/20/2025	23707	American Legal Publishing Corp	-325.00
03/20/2025	23708	Analytical Laboratories, Inc.	-45.00
03/20/2025	23709	Ascendance Truck Center	-901.88
03/20/2025	23710	Boyertown Supply Inc	-283.54
03/20/2025	23711	Cooper Reporting	-265.00
03/20/2025	23712	Gen Star Repair	-145.00
03/20/2025	23713	Gilmore & Associates, Inc	-5,282.92
03/20/2025	23714	Groff Tractor & Equipment	-18.76
03/20/2025	23715	HOME DEPOT CREDIT SERVICES	-134.73
03/20/2025	23716	Lehigh County Conservation District	-112.50
03/20/2025	23717	Long's Water Technology, Inc	-68.00
03/20/2025	23718	M.A. YEAKEL SONS, INC.	-133.00
03/20/2025	23719	MASTER SUPPLY LINE	-419.06
03/20/2025	23720	Ott Consulting Inc.	-28,408.80
03/20/2025	23721	PENTELEDATA	-403.68
03/20/2025	23722	PMHIC	-43,102.66
03/20/2025	23723	PPL ELECTRIC UTILITIES	-2,719.10
03/20/2025	23724	Rahns Trucking	-442.00
03/20/2025	23725	RED HILL FORD (SANDS)	-121.62
03/20/2025	23726	RICHARD R. SCHMICK, INC.	-305.00
03/20/2025	23727	Robert E Little, Inc	-834.02
03/20/2025	23728	SAYLOR'S LAWN & LANDSCAPE INC.	-7,063.00
03/20/2025	23729	sherwin williams	-121.90
03/20/2025	23730	Silt Containment Solutions Inc	-340.00
03/20/2025	23731	Snyder Technologies	-3,050.00
03/20/2025	23732	STAVER HYDRAULICS CO., INC.	-171.97
03/20/2025	23733	Stoney Creek Rentals	-2,121.50
03/20/2025	23734	Suburban Propane	-3,129.47
03/20/2025	23735	T.J. Cogle Trucking, Inc	-70.00
03/20/2025	23736	TIMES NEWS (East Penn Press)	-47.25
03/20/2025	23737	TOSHIBA BUSINESS SOLUTIONS	-132.36
03/20/2025	23738	unifirst	-207.30
03/20/2025	23739	VISA #6488 (KW)	-181.81
03/20/2025	23740	VISA #6512 (BC)	-226.26
03/20/2025	23741	VISA#2958 (JO)	-341.73
03/20/2025	23742	VISA#2966 (BF)	-39.00
03/20/2025	23743	Wehrung's Macungie LLC	-138.21
Total 100.01 · PLGIT - General Fund Ckg			-101,973.03
TOTAL			-101,973.03