

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
May 18th, 2023, 7pm
REGULAR MEETING MINUTES

Meeting called to order at 7:01 pm.

ATTENDANCE: Supervisors, Joyce K. Moore, John D. Zgura, Daniel J. Mohr; Manager Edward Carter, Solicitor Marc Fisher; Planning Coordinator Brian Miller; Secretary/Treasurer Jessi O'Donald

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: Lauren Haponski asked if there was allowed input later in the meeting. Supervisor Moore acknowledged that there was an opportunity to ask questions later.

ACCEPTANCE OF MINUTES:

Approval of May 4th, 2023, regular meeting minutes.

MOTION: Supervisor Zgura made a motion to approve the minutes with the correction to Kris Bawden being Chief of Station #28 not Station #19 as written in supervisor Zgura's report. Supervisor Mohr seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. 22166 to 22190 in the amount of \$314,680.77

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. 1390 in the amount of \$2,433.27

FIRE HYDRANT FUND:

PLGIT XXXX7154 – Check No. 1013 in the amount of \$2,704.28

NEW TRIPOLI BANK:

#5991 – ACH withdrawal No. 1-23 in the amount of \$38,380.54

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's. 2023-011 to 2023-017

MOTION: Supervisor Mohr made a motion to pay the bills as listed above and acknowledge the bank transfers. Supervisor Zgura seconded the motion. Phil Casey asked about the Fire Hydrant Fund. Treasurer O'Donald explained that the Fire Hydrant Fund is a separate account for the Fire Hydrant

Assessment that is collected with the Real Estate Tax. The assessment is for every home within 780 feet of a fire hydrant. Hearing no additional questions or comments, all were in favor, motion carried.

SOLICITOR'S REPORT: No Report

OLD BUSINESS: None

NEW BUSINESS:

- 1.) Detour Request for Churchview Rd Turnpike Bridge
 - a. letter and map from Lauren Gular of Allen Myers
 - b. memo from Manager Carter

From Allen Myers - Allan Myers will be conducting bridge rehabilitation on the NB-311 Bridge associated to contract A- 44.06S001-03-02 between mile markers 45.7 through 51.35. This work is projected to be completed between August 10, 2023, through September 15, 2023. Due to the limited shoulder and travel lane width on State Route 2040 Church View Road, Allan Myers is requesting to implement a road closure, that would provide a direct detour for all passengers to include truck traffic during the work's 5-week execution. All road closure signage will be placed in accordance with PennDOT Publication 213, section 215 for long-term road closures.

The proposed detours are as follows: 1) Passenger traffic will be routed to utilize Acorn Road, Faith Road, and Geho Road. 2) Truck traffic will be routed to utilize SR2031 Dillingersville Road and SR 2029 Limeport Pike.

Memo from Manager Carter - I have received a request from Alan Myers Inc, for a detour of State Route 2040 Church View Road, to use some Township Roads for the passenger traffic detour route. Alan Myers will be conducting bridge rehabilitation to the Turn Pike bridge that is above Church View Road. They are asking to use Faith Drive, Bleiler Road, and Acorn Drive for the East side of the detour and Geho Road for the west side of the detour. This would only be for passenger traffic detours, there will be a different detour for trucks. I have asked the township traffic engineer Pete Terry to review the detour plan and after a couple of minor corrections he finds it acceptable. The work will take about 5 weeks to complete. Alan Myers Inc. is expecting to start in August of this year.

Supervisor Zgura is concerned about the damage that will happen again to road signs and the time to send employees out to fix the downed signage. There was a brief discussion of damage from a prior road detour within the Township. Jim Krippe asked if it was possible for the contractor to add a damage policy for any damage that would be incurred.

MOTION: Supervisor Zgura made a motion to approve the detour request with the condition that the turnpike commission post such security to cover any and all damages to Township traffic signs and roads within the detour route. Supervisor Mohr seconded the motion. Hearing no other comments, all were in favor, motion carried.

- 2.) Approval to post 2008 John Deere 544J on Municibid for sale.
 - a. Memo from manager Carter

Public Works took delivery of the new wheel loader earlier this week. After some of the equipment is switched over to the new loader, I would like the board's approval to list the 2008 John Deere 544J on Municibid. An ad will be placed in the new paper directing anyone who would like to bid on the loader to go to Municibid's website for the listing. The winning bid will then be presented to the board at an upcoming meeting for your approval.

Colt Hershinger asked what the value of the vehicle might be. Manager Carter stated they are selling anywhere between \$60,000 and \$80,000.

MOTION: Supervisor Zgura made a motion to approve the advertising of the 2008 John Deere 544J on Municibid per manager Carter’s memo dated May 16, 2023. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 3.) Recommendation to complete out of order preservation with Lehigh County for 4246 Main Rd W.
 - a. Letter from Brian Miller from the Open Space Committee

On May 10th, 2023, the Open Space Committee met to review & discuss the Out of Order Agricultural Preservation option with Lehigh County & Upper Milford Township as the easement holders for the property located at 4246 Main Road W. Emmaus. The Committee recommended that the Board of Supervisors join Lehigh County by preserving the property through the Out of Order Agricultural Preservation Easement process, with the Township providing 2/3 of the appraised value of the easement per acre, and the County providing 1/3rd of the appraised value per acre. If you agree, I will contact the Lehigh County Agricultural Preservation Office and they will work to complete the Agricultural Easement process for the property.

MOTION: Supervisor Mohr made a motion to join in with Lehigh County and approve an Out of Order Agricultural Preservation Easement regarding property located at 4246 Main Road W., Emmaus, Pennsylvania with the Township paying 2/3 of the cost of the easement and the County paying 1/3 of the cost (the exact cost of which will be determined by a survey), and that staff and the Solicitor are authorized to sign all required documents on behalf of the Township. Supervisor Zgura seconded the motion. Colt Hershinger asked if this was the Nonnemacher Farm, all were in favor, motion carried.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS: None

SUBDIVISIONS – IMPROVEMENTS:

- 1.) Estates at Maple Ridge Release No. 5 in the amount of **\$431,545.21**
 - a. Letter from Township Engineer Jeffery Ott

In accordance with the request for release of secured funds dated April 28, 2023, we the undersigned hereby certify that the improvements required in connection with the Estates at Maple Ridge, have been completed to the extent that the Financial Security Agreement can be reduced by the amount of Four Hundred Thirty-One Thousand, Five Hundred Forty-Five Dollars and Twenty-One Cents (\$431,545.21), in accordance with the Subdivision Improvements Agreement dated May 11, 2022. This certificate authorizes the Penn Community Bank to reduce said amount, namely Four Hundred Thirty-One Thousand, Five Hundred Forty-Five Dollars and Twenty-One Cents (\$431,545.21) 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.

MOTION: Supervisor Zgura made a motion to approve Credit release number 5 for the Estates at Maple Ridge in the amount of \$431,545.21 per Engineer Jeffery Ott's letter dated May 10th, 2023. Supervisor Mohr seconded the motion. There were no comments or questions, all were in favor, motion carried.

CORRESPONDENCE: None

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report:

- 1.) Request for funding for 2024 Budget for Physicals
 - a. letter from ESC Secretary Joseph Terrible

The Emergency Services Committee has considered various ways to assist our volunteer fire services in meeting their financial commitments during these inflationary times. The Committee values the dedication and service of our volunteers and wishes to support them as much as possible. Given the stressful and potentially hazardous nature of firefighting, we feel it is important that every member of the fire companies receive a full physical at least on a biennial basis. Therefore, we recommend that the Board of Supervisors allocate sufficient funds in the 2024 budget to secure physical examinations for at least 13-14 people for each company representing approximately one-half the complement of each organization.

An individual examination is expected to cost somewhat over \$400 exclusive of substance abuse testing. Substance abuse testing adds an additional \$30 to \$60 per individual depending on the extent of the testing and where the results are analyzed. A price list from St. Luke's Hospital is attached for reference. We recommend that the Supervisors allocate \$6,000 for each company next year. The Supervisors should decide whether they wish all firefighters to have substance abuse testing and whether the members should visit a specific agency or leave that to the discretion of the fire companies.

Supervisor Zgura questioned the substance abuse testing and if the Township could even ask that. Solicitor Fisher will investigate the legalities of the substance abuse testing for an outside agency. Jim Krippe stated there was money in the budget prior for physicals and now it's back again. Phil Casey questioned the need to pay for physicals when most health care insurances provide for an annual physical. It was asked about Public Works Physicals for CDL licenses. Municipal CDL drivers are exempt from the annual physical requirement. Colt Hershinger asked about liability if the Township pays for the physicals, and someone were to still have an issue. Solicitor Fisher stated that based on the limited scenario Colt presented that there would be no additional liability.

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: Report on Website

Fire Companies: No Report

Emmaus Library: No Report

Recreation Commission: Angela Ashbrook reported for the Recreation Committee that they have started their parks tours for the year and are continuing to work on the Tree and Bench Memorial Program.

Township Manager:

Bud Carter – Allen Street Traffic light intersection is going to be top coated beginning May 31st to June 2nd. There will be flaggers from 9am to 3pm during work.

Supervisors:

John D. Zgura – Hival Und Dahl asked about cutting the grass again at the cabin. Manager Carter stated it would cost about \$100 to cut each time. Phil asked a how much grass there was to cut at the cabin. Colt asked about the mowers. Supervisor Zgura also wanted to acknowledge Armed Forces Day. God Bless and Keep Safe.

Daniel J. Mohr – In light of Armed Forces Day and Memorial Day the Vera Cruz Community Association is getting a new flag for the memorial at the old school and will have the flagpole fixed. They are also looking at replacing the flagpole with a telescoping pole or one that will lay over to be able to fix it easily. Supervisor Mohr also questioned the large signs at Beck & Mill Rds.

Joyce K. Moore – No Report

Lauren Haponksi – asked about the park on Benjamin Court. Asked about restrooms since there is a temp port-o-potty. Manager Carter stated the current pot-o-pot is on the HOA parking lot and the Township hasn't discussed restrooms or port-o-pots at the park at this time. She also questioned if the storm basin will have a fence all the way around. Staff will check the plan to see what the finished construction calls for. She asked if the Township takes care of the roads at this time. The township is not yet responsible for the roads yet, as the development isn't complete.

EXECUTIVE SESSION: - Not needed.

ADJOURNMENT: Meeting was adjourned at 7:41 pm.

Chairperson **Joyce K. Moore**

06/01/2023
Date

Secretary **Jessi O'Donald**