

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
June 16th, 2022, 7pm
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors; Daniel Mohr, Joyce Moore, John Zgura; Solicitor Marc Fisher, Secretary/treasurer Jessi O'Donald; Absent: Manager Edward Carter

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:

Phil Casey – He wanted to suggest a use for the ARPA Funding. He suggested a way to help those that have been effected by the fuel increase to mow their lawns, some sort of grant program to either have the Township mow lawns or have people be able to apply for funds to help pay for their lawns to be mowed or cover increase in fuel cost. He understood that some might take advantage of it but that it might be a help as he remembers having to mow a lot of grass and he sees residents allowing their lawns to get long. Phil also thanked the Township for putting up the speed sign by his shop. He was amazed at how fast cars were going but asked the information not be used to increase the speed limit.

ACCEPTANCE OF MINUTES:

Approval of June 2nd, 2022 regular meeting minutes.

MOTION: Supervisor Moore made a motion to approve the minutes as presented. Supervisor Zgura 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. **21308 to 21338** in the amount of **\$114,622.43**

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No's. **1379** in the amount of **\$2,204.39**

ESCROW FUND:

PLGIT XXXX7109 - Check No's. **165** in the amount of **\$249.50**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's 2022-031 to 2022-036

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

SOLICITOR'S REPORT:

OLD BUSINESS:

- 1.) Request from Citizen's Fire Company
Letter from President Bryan Hamscher

Phil Casey asked if the Fire Company had provided the paperwork necessary to explain the discrepancies that were noted when their request was first given to the Board. Supervisor Zgura answered that the necessary reports had been provided. There was a brief discussion about future indebtedness on the two items in the request.

MOTION: Supervisor Zgura made a motion to pay \$129,763.73 from the Major Fire Fighting Capital Reserve account for Citizens Fire Company to pay the loan for pumper 2812 and the SCBA loan, this payment will be made directly to the creditors of the loans, if the amount is insufficient to satisfy the loan, Citizens Fire Company will pay the remaining balance due, Citizens Fire Company will provide payoff confirmation to the Township and agrees to not further loan or collateralization the equipment paid, if collateralization of the vehicle is made again then no further money will be authorized to be withdrawn from the Citizens Fire Company Capital Reserve account until the debt is paid. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion is carried.

NEW BUSINESS:

- 1.) Resignation from Pension Committee
 - a. Email from William Mason

MOTION: Supervisor Moore made a motion to accept William Mason's resignation from the pension Committee and thank him for his years of service. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Appointment to Pension Committee – J. Terrible
 - a. Memo from Secretary O'Donald

With the resignation of William Mason, I would like to recommend the appointment of Joseph Terrible to the Pension committee. Joseph has served on the Emergency Services Committee since the beginning and has helped with the Fire Companies' five year plan. His original application to the Township was requesting to volunteer on the Pension Committee. His application is attached.

MOTION: Supervisor Moore made a motion to appoint Joseph Terrible to the Pension Committee. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

DEP MODULES / SEWAGE PLANNING:

- 1). Well Isolation Waiver for 6726 Kings Highway South
 - a. Letter from SEO Brian Miller

I have been working with Leonardo Velez, Brand Environmental & Christman Septic for the property located at 6726 Kings Highway S. in Zionsville. The owner of the property Lee Velez has been living with a malfunctioning septic system. The property is approximately 30' x 200' with Onlot Septic & Well, it has a half a twin home on it built in 1896 with a garage & shed. The existing septic system appears to have been constructed prior to sewage regulations. The existing well is located in the center of the lot, 3 neighboring wells are also in a similar location on small lots, all are less than 100' from each other's septic systems. Leonardo's well water shows failing results with E. Coli & Nitrate levels in the water supply. The Consultant for the property owner has proposed a septic repair using an Orenco Treatment System & UV disinfection unit to reduce the nitrates and eliminate the Coliform & E. coli prior to discharging the effluent into in ground trenches. When trying to come up with a solution for a malfunctioning septic system Pa DEP allows the municipality to waive the well isolation distance requirements when there are no other alternatives available, the municipality may also consider requiring an applicant to move a well or install a holding tank. In this case moving wells may still require isolation distance waivers because of the small lot sizes involved, so it may not be beneficial and would be a very costly alternative. A holding tank is also a very costly alternative and should only be chosen when there is no other choice in a residential application. The method of treatment system proposed would appear to be a very good method of using best technical guidance to solve the malfunction, however this design proposes standard trenches at a distance that is less than the existing distance to 2 wells. This treatment option also allows a 40% reduction in drainfield size that could increase the distance from a neighboring well, this reduction was not chosen to be used by the designer because reducing the sq. ft. of absorption area would increase the loading rate per square foot in the trenches and he felt that a full size absorption area would help disperse the effluent at a better quality in the trenches, thus allowing the soil more area per gallon to clean the effluent. After much time and thought working on this project I would agree that this is probably the best option that we have working with such limited space. The proposed treatment systems reduction of Nitrates, Coliform & E. Coli should benefit the ground water in this area. There are a few items below that may also be a benefit if you were to allow the Well Isolation Distance Waiver: 1.The Applicant enter into a Septic System Operation & Maintenance Agreement with the Township. 2. Yearly well water testing completed for Nitrates, Coliform & E. coli with those results being provided to the Township annually. 3. Base line testing on the closest neighboring well for Nitrates, Coliform & E. coli prior to issuing a septic permit.

MOTION: Supervisor Mohr made a motion to approve the Well Isolation Waiver per Brian Miller's Letter dated June 13th, 2022 along with the applicant entering into the Septic O&M, yearly well water testing with results forwarded to the Township and Baseline testing for neighboring wells. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS: None

SUBDIVISIONS – IMPROVEMENTS:

- 1.) Credit release #3 for O'Rourke Winery in the amount of \$67,112.31
 - a. Letter from Township Engineer Jeffery Ott
 - b. Approval for Escrow Account PLGIT **XXXX7109** Check Number **166** for **\$67,112.31**

In accordance with the request for release of secured funds dated May 31, 2022, we the undersigned hereby certify that the improvements required in connection with the O'Rourke Vineyard and Winery,

have been completed to the extent that the security deposit can be reduced by the amount of Sixty-Seven Thousand, One Hundred Twelve Dollars and Thirty-One Cents (\$67,112.31) in accordance with the Improvements Agreement dated October 15, 2020. This certificate authorizes Upper Milford Township to reduce said amount, namely Sixty-Seven Thousand, One Hundred Twelve Dollars and Thirty-One Cents (\$67,112.31) 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 O'Rourke Vineyard and Winery, be reduced to any amount less than Fifty-Two Thousand, Eight Hundred Fifty Dollar and Eighty eight cents (\$52,850.88).

MOTION: Supervisor Moore made a motion to approve the Credit Release per Jeffery Ott's letter dated June 1, 2022 for \$67,112.31. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

MOTION: Supervisor Moore made a motion to approve check no. 166 from PLGIT 7109 in the amount of \$67,112.31. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

CORRESPONDENCE: None

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: No Report

Recreation Commission: Next meeting of the Recreation Committee is Monday, June 20th at 7pm weather permitting at the Harold G Fulmer Nature Preserve. Otherwise held at the Municipal Building.

Township Manager:

Bud Carter – No Report (Absent)

Supervisors:

John D. Zgura – No Report

Joyce K. Moore – No Report

Daniel J. Mohr – No Report

EXECUTIVE SESSION: - Not needed

ADJOURNMENT: Meeting was adjourned at 7:33 pm.

Chairman Daniel J. Mohr

Date

Secretary Jessi O'Donald