

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
October 5th, 2023, 7pm  
REGULAR MEETING MINUTES

---

**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

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.

**PUBLIC INPUT:**

**Jason Goldstein – HOA Rep. for The Fields at Jasper Ridge** – Jason was at the meeting to appeal to the Board of Supervisors for the residents at the fields at Jasper Ridge. He stated that Kay Builders is unresponsive to the homeowners about issues with construction of their homes and the development has not gotten closer to completion even though the last home was occupied in June 2023. He sited the unfinished roadway, water issues on Benjamin Court, storm drains concerns and no fencing around the stormwater basins. The HOA is spending money on a lawyer for the transition of the development to the HOA and the concerns with the homes and would like to know the status of the final punch list. He asked for a reponse from Staff.

**Lauren Haponski** – as a member of the community of Jasper Ridge wanted to thank everyone for the installation of the playground equipment in Arrowhead Park and asked if trees would be planted. (Trees are in the plan) She also asked if they should be in contact with the State Police about the cars and strong odor of cannabis in the parking lot. (she was advised to call the police)

**James Litsy** – Discussed the storm drains and the plants growing out of them along with the stone wall that has left mud all over the walkway and street.

**Rae Wong** – Stated the rumor was it would be another year.

**Charlene Navarez** – She is a first-time homeowner and worked hard to purchase this home that now has water issues and a builder that is not responding to her concerns.

**Angela Ashbrook** – She asked if there is a way to hold up the next development from kay Builders since they have proposed another in the Township but still have two ongoing projects with unhappy residents. **Solicitor Fisher** explained that each proposal needs to be handled as a septate entity.

It was asked what residents can really do as they have all tried to work with Kay Builders on their concerns.

**Solicitor Fisher** stated that staff would get in contact with Kay Builders to get information and report back.

**ACCEPTANCE OF MINUTES:**

Approval of September 21<sup>st</sup>, 2023, regular meeting minutes.

**MOTION:** Supervisor Mohr made a motion to accept the September 21<sup>st</sup>, 2023, 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. **22506 to 22540** in the amount of **\$123,919.53**

**STREET LIGHT FUND:**

PLGIT XXXX7125 - Check No. **1396** in the amount of **\$2,545.16**

**OPEN SPACE REFERENDUM FUND:**

PLGIT XXXX7146 - Check No. **1023** in the amount of **\$89,976.70**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

No Transfers

**MOTION:** Supervisor Mohr made a motion to pay the bills as read. Supervisor Zgura seconded the motion. Angela Ashbrook asked what the charge from A-1 Traffic Control was. Manager Carter stated it was the line painting on the roads. Hearing no further questions or comments, all were in favor, motion carried.

**SOLICITOR'S REPORT:** Public Hearing

- 1.) Resolution 2023-024 - ASA Approval for Benke

The public Hearing opened at 7:25 pm.

The Board of Supervisors acknowledged receipt of an application to add the property as requested to the ASA Area at their Meeting on 7/6/23. The property inclusion was advertised & the property was posted as required on 7/24/23. No Comments were received over the 15-day period. The Agricultural Security Advisory Committee recommended that the Board of Supervisors add the property as requested to the Township ASA at their meeting on 8/15/23. The Upper Milford Planning Commission recommended that the Board of Supervisors add the properties as requested to the Township ASA at their meeting on 9/5/23. The Public hearing was advertised & the properties were posted on 9/18/23 for public hearing on 10/5/23. Hearing no comments from the public present, the Public Hearing closed at 7:26 pm.

**MOTION:** Supervisor Moore made a motion to approve Resolution 2023-024 to include the Benke property in the Agricultural Security Area as recommended by the Ag Security Council. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

2.) Resolution 2023-025 - South Shore Properties removal from Ag Security

Public Hearing started at 7:27 pm. The Board of Supervisors acknowledged a request to remove the properties as requested from the ASA Area at their Meeting on 8/3/23. The Agricultural Security Advisory Committee recommended that the Board of Supervisors remove the properties as requested from the Township ASA at their meeting on 8/15/23. The Upper Milford Planning Commission recommended that the Board of Supervisors remove the properties as requested from the Township ASA at their meeting on 9/5/23. The Public hearing was advertised & the properties were posted on 9/19/23 for public hearing on 10/5/23 Hearing no comments from the public present, the Public Hearing closed at 7:28 pm.

**MOTION:** Supervisor Moore made a motion to approve Resolution 2023-025 (with noted change on paper of 2022-025 to 2023-025) to remove the properties from the Ag security Area as requested by South Shore Properties. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**OLD BUSINESS:**

1.) The Fields at Twin Run – Discussion

Alan Fornwalt presented the new plan for the stormwater area. He showed a plan with the walking trail surrounding a fenced off area that will contain the Stormwater spray irrigation. The Board thanked him for his presentation.

**NEW BUSINESS:**

- 1.) Citizen's Fire Company request
  - a. Letter from Fire Company President Joe Sherman

At the General Membership meeting of the membership of Citizen's Fire Company of Upper Milford Township (Lehigh County Station #28 - Vera Cruz) a discussion was held regarding the immediate needs for funding from the Upper Milford Township Major Firefighting Fund. At this time, excluding any emergency major equipment needs, it is not deemed necessary to draw from the above referenced fund. At this time the membership discussed the open options stated by the township supervisors to keep both the Citizen's Fire Company of Upper Milford Township and Upper Milford Western District Fire Company equally funded as per previous discussions, the membership is requesting that Citizen's Fire Company of Upper Milford Township be guaranteed the total amount of \$162,753.00 which was guaranteed to Upper Milford Western District Fire Company on June 15, 2023. As we received funds for reimbursement for two thermal imaging cameras in the amount of \$13,030.00 on July 6, 2023, the membership is now requesting the remaining balance of \$149,723.00 be placed in a PLIGIT/ term fund for a period of 270 days. This will give a huge boost to our Major Firefighting Fund toward the next purchase of a truck in three to five years.

There was a discussion. The Board of Supervisors was in favor of the request. They directed staff to determine how to go about doing this correctly.

2.) 2024 Draft Budget

The Draft Budget was presented to the Board by Manager Carter. There is no tax increase. The only highlight of the budget is the Zoning/SALDO Update for 2024.

**DEP MODULES / SEWAGE PLANNING:** - None

**PLANNING COMMISSION – OLD BUSINESS:** - None

**PLANNING COMMISSION – NEW BUSINESS:** None

**SUBDIVISIONS – IMPROVEMENTS:** None

**CORRESPONDENCE:**

- 1.) Resident request to work with Lower Milford on Kings Highway Traffic Concerns
  - a. Letter from Ben Kohler

Over the past six months I have contacted State Representative McKenzie's office, PennDOT, and our Township to discover what can be done to limit the growing number of large tractor trailer trucks using Kings Highway South between Route 100/29 in Zionsville and its connection to Route 663. As an individual, Rep. McKenzie's office has been sympathetic, while PennDOT has been unresponsive. I recently learned from an article in the East Penn Press, 27 Sep 2023, that residents of Lower Milford Township have presented their supervisors with a petition regarding this issue. Specific to Kings Highway South in Hosensack, they are requesting a lower speed limit, making the intersection a 3 way stop, limiting truck length, prohibiting the use of brake retarders, and "noise ordinance" signs. The Supervisors were reported as being supportive and will actively explore all options with PennDOT and the State Police to address these concerns.

Kings Highway South has become very busy in the last few years and the issues (safety, road damage, and noise) with Interstate size tractor trailer trucks on roads not designed for their use affect our Township as well. Please contact and work with Lower Milford to address these issues together, to the extent possible. Other adjacent municipalities touched by this road may also want to be involved. A combined effort to improve safety and quality of life will potentially have more impact and success.

There was a brief discussion and staff were directed to reach out to Lower Milford to see what they are looking into and if it would be a benefit to collaborate.

**OTHER ISSUES:** - None

**REPORTS:**

**Emergency Services Committee Report:** No Report

**Township Emergency Management Coordinator:** N/A

**Emergency Services Call Report:** ***No Report***

**Fire Companies:** Joe Sherman stated that Citizens Fire Company will be holding an Open House on Saturday October 7<sup>th</sup> from 11-3 for fire prevention week. All are welcome and encouraged to attend. Since the last meeting there have been 9 calls for a total of 159 so far for the year.

**Emmaus Library:** No Report

Recreation Commission: No Report

Township Manager:

Bud Carter – No Report

Supervisors:

John D. Zgura – October 16<sup>th</sup> is a Special Meeting with the Fire Companies at 7pm. He hopes everyone attends to get as many points of view and ideas as possible.

Daniel J. Mohr – The Community Association is looking for volunteers. The Halloween Parade will be October 18<sup>th</sup>, organizing at 6:30 and leaving at 7pm from Mystic Chain Park. The rain date is October 19<sup>th</sup>. They will not be selling food this year.

Joyce K. Moore – Joyce inquired with the Mayor of Allentown about the Band Shell and will let Dan know what comes back from that for Homecoming next year.

**EXECUTIVE SESSION:** - The Board of Supervisors will hold an executive session for legal. There will be no decision made.

Lauren Haponski stated she did get a response from Kay Builders about paving the roads and she will hopefully get to it in May or June of 2024.

**ADJOURNMENT:** Meeting was adjourned at 8:00 pm.

---

\_\_\_\_\_  
Chairperson Joyce K. Moore

10/19/2023  
Date

\_\_\_\_\_  
Secretary Jessi O'Donald