

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
November 16th, 2023, 7pm  
REGULAR MEETING AGENDA

Public 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:**

**ACCEPTANCE OF MINUTES:**

Approval of November 2<sup>nd</sup> and 13<sup>th</sup>, 2023, Regular and Special meeting minutes.

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's. 22618 to 22645 in the amount of \$81,240.24

**FIRE HYDRANT FUND:**

PLGIT XXXX7154 - Check No. 1015 in the amount of \$2,756.33

**OPEN SPACE REFERENDUM**

PLGIT XXXX7146 – CHECK No. 1025 in the amount of \$1,700.00

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer No's. 2023-055 to 2023-057

**SOLICITOR'S REPORT:** No Report

**OLD BUSINESS:** None

**NEW BUSINESS:** None

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

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

**PLANNING COMMISSION – NEW BUSINESS:** None

**SUBDIVISIONS – IMPROVEMENTS:** None

**CORRESPONDENCE:**

- 1.) Request from old Zionsville UCC for special fire Police on Dec 24 from 7-7:45pm
  - a. Letter from Kathryn Latshaw

**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:

John D. Zgura –

Daniel J. Mohr – Absent

Joyce K. Moore –

**EXECUTIVE SESSION:** - Not needed.

## **ADJOURNMENT:**

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AGENDA PART II:

UNFINISHED BUSINESS (NO ACTION ANTICIPATED):

**OLD BUSINESS:**

1. Morrissey Property Concerns
2. Open Space Update
3. Zoning and SALDO Update
4. Krause Property Concerns

END AGENDA PART II:

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
November 2<sup>nd</sup>, 2023, 7pm  
REGULAR MEETING MINUTES

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**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.

There will be a special meeting between the Board of Supervisors and the Fire Company on Monday, November 13<sup>th</sup>, 2023, at 7pm here in the auditorium.

**PUBLIC INPUT:**

Susan Callahan of 4497 Benjamin Court read an email that she sent to the Board of Supervisors concerning the water issues she has been dealing with at the property she purchased in the Fields at Jasper Ridge development. She explained how the water is flooding her lower level and damaging her foundation.

Hector Ortiz of 4475 Benjamin Court stated he is the owner at the opposite end of the building from Susan. He also expressed his concerns over the water damage and what possibly can be done to fix this.

It was noted by the Township Manager that there would be a meeting set up with himself, Engineer Jeff Ott and the residents.

**ACCEPTANCE OF MINUTES:**

Approval of October 16<sup>th</sup> & 19<sup>th</sup>, 2023, Special and regular meeting minutes.

**MOTION:** Supervisor Mohr made a motion to accept the October 16<sup>th</sup> & 19<sup>th</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. **22578 to 22617** in the amount of ~~\$23,534.06~~ **\$23,528.66**

**STREET LIGHT FUND:**

PLGIT XXXX7125 - Check No. **1397** in the amount of **\$2,584.38**

**OPEN SPACE REFERENDUM FUND:**

PLGIT XXXX7146 – Check No. **1024** in the amount of **\$1,700.00**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer No's. 2023-046 to 2023-053

**MOTION:** Supervisor Mohr made a motion to approve the bills as corrected and acknowledge the bank transfers. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**SOLICITOR'S REPORT:**

- 1.) Resolution 2023-029 - Marsteller ASA inclusion hearing
  - a. letter from Planning Coordinator Brian Miller

Marsteller ASA Inclusion for PIN 548311323144 1 & 548301068922 1

The following has occurred for the Adam Marsteller Agricultural Security Area inclusion:

- The Board of Supervisors acknowledged receipt of an application to add the properties as requested to the ASA Area at their Meeting on 8/17/23.
- The property inclusion was advertised & the properties were posted as required on 8/30/23.
- 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 9/26/23.
- The Upper Milford Planning Commission recommended that the Board of Supervisors add the properties as requested to the Township ASA at their meeting on 10/2/23.
- The Public hearing was advertised & the properties were posted on 10/17/23 for public hearing on 11/2/23.

Public Hearing was opened at 7:21 pm for the inclusion of the Marsteller property into the Agricultural Security Area. The note above was read. There were no comments. The Public Hearing was closed at 7:22 pm.

**MOTION:** Supervisor Moore made a motion to include the property of A Marsteller, as advertised in the Agricultural Security Area. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**OLD BUSINESS:**

- 1.) Fire Company Grant writer request

There was a brief discussion. The Board was not opposed to hiring a grant writer but wanted to make sure they were getting the best benefit for the dollars expensed. It was noted that the Local Shares grant might be a better option for the requested \$35,000 in Fire Hose rather than paying a writer almost \$5,000 to write for the same grant and use the writer for a larger grant. Kevin Kleinsmith offered to have the grant writer attend a meeting to answer questions.

**NEW BUSINESS:**

1.) 2024 Tentative Budget - Approval to advertise

**MOTION:** Supervisor Zgura made a motion to advertise the tentative budget as presented. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

2.) Permission to Close Account

a. Memo from Secretary/Treasurer O'Donald

In July of 2022 there was a phishing scheme that had emailed New Tripoli Bank to try to gain access to the Township checking account (5704). Their security procedures caught the scheme, and they denied access, immediately closed the account to protect it and opened another account under a different account number just in case. We had to allow the state direct deposits access to the old account until we could guarantee the deposits were directed correctly.

As of October 2023, I can guarantee that all deposits are directed correctly and am now asking permission to officially close the old account (5704).

**MOTION:** Supervisor Moore made a motion to close the New Tripoli Bank Account (5704). Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

3.) ASA application Acknowledgement for 4801 South 5<sup>th</sup> Street PIN640400281376-1 (20 acres)

a. Letter from Planning Coordinator Brian Miller

The Township received the attached ASA modification application for a 20-acre portion of a property at 4801 S. 5th St. Emmaus, also known as Lehigh County PIN 6404002813676. It would be customary for the Board to acknowledge receipt and direct staff to proceed with the required process for ASA inclusion.

**MOTION:** Supervisor Moore made a motion to acknowledge the Application for ASA inclusion for the property at 4801 South 5<sup>th</sup> Street Emmaus. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

4.) ZONING, SALDO & Official Map Update RFP award

a. Memo from manager Carter

Brian and I interviewed two firms to complete an update/rewrite to the Zoning Ordinance, SALDO, and Official map. Gilmore & Associates, and Urban Research & Development Corporation. After careful consideration we both agree that Gilmore & Associates would be the best selection to complete these updates and provide the township with a completed update to our Zoning Ordinance and SALDO. Their proposal to complete these updates is not to exceed \$139,340 to complete the Zoning and SALDO update. If Gilmore is able to complete the update/rewrite in less time, there cost will be less. Township Staff will be able to complete the Official Map update after the Zoning and SALDO are completed. This update will take two years to complete, and there are already funds allocated in the 2024 budget for this project.

**MOTION:** Supervisor Moore made a motion to accept the proposal of Gilmore & Associates, Inc. of New Britain, PA for Zoning Ordinance and SALDO consulting services only in a sum not to exceed

\$139,340.00 contingent upon the following: A. Compliance with the Request for Proposal issued by the Township; B. Compliance by Gilmore & Associates, Inc. with its proposal to provide consulting services dated September 11, 2023; C. The amount to be paid shall be reduced accordingly if the number of estimated hours and/or hourly rates set forth in the proposal to provide consulting services are less; and D. Gilmore & Associates, Inc. shall provide the Township monthly reports showing the number of hours and the hourly rates applied to its services. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

5.) Permission to advertise for Public Works  
a. Memo from manager Carter

I would like to ask for approval from the Board of Supervisors to advertise and conduct interviews for a full-time public works employee and part-time winter snowplow position. Once a full-time employee is selected, they will be presented to the board with the recommendation to be hired.

**MOTION:** Supervisor Zgura made a motion to approve the advertising to hire a full-time public works person and a part time winter plow driver. Supervisor Mohr seconded the motion. Phil Casey asked if this was a new position or to fill a vacancy. Supervisor Moore stated that it is to fill a vacancy. Jim Krippe asked if someone resigned. Supervisor Moore stated there was a vacancy. Hearing no further questions or comments, all were in favor, motion carried.

6.) Approval of Land development agreement for 6334 Chestnut St

The land Development agreement is before the Board of Supervisors to approve. The owner of the development has signed the agreement, and it has been vetted by the Township Solicitor.

**MOTION:** Supervisor Moore made a motion to approve the development agreement for 6334 Chestnut St. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

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

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

**PLANNING COMMISSION – NEW BUSINESS:** None

**SUBDIVISIONS – IMPROVEMENTS:** None

**CORRESPONDENCE:** None

**OTHER ISSUES:** - None

**REPORTS:**

Emergency Services Committee Report: No Report

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: **No Report**

Fire Companies: Kris Bawden stated that they will have everything ready for the next meeting on October 13<sup>th</sup>. Joe Sherman relayed that they have had 20 calls since the last meeting and 179 calls for the years.

Emmaus Library: No Report

Recreation Commission: No Report

Township Manager:

Bud Carter – No Report

Supervisors:

John D. Zgura – He stated he is looking forward to continuing the conversation on November 13<sup>th</sup> with the Fire Companies.

Daniel J. Mohr – Supervisor Mohr asked about the stop bars at the intersection of Vera Cruz Rd and Main Rd.

Joyce K. Moore – The Fire Company mailers just went out and she is asking everyone to support the Fire Companies. She also wanted to mention that the DCNR Grant that was awarded to the Township was written by Kyle Walbert and that he should get the kudos for the application.

**EXECUTIVE SESSION:** - Not needed.

**ADJOURNMENT:** Meeting is adjourned at 7:49 pm.

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Chairperson Joyce K. Moore

**11/16/2023**

**Date**

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Secretary Jessi O'Donald

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
November 13<sup>th</sup>, 2023, 7pm  
SPECIAL MEETING MINUTES

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**ATTENDANCE:** Supervisors, Joyce K. Moore, John D. Zgura, Daniel J. Mohr; Manager Edward Carter, Secretary/Treasurer Jessi O'Donald, Chief Michael Kline, Secretary Kevin Kleinsmith, Chief Kris Bawden, Assistant Chief Joseph Sherman, ESC Members Timothy Anger and Joesph Terrible

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:** None

**BUSINESS:**

1.) Discussion with Fire Companies

Joe Terrible started with the presentation of the next 5–10-year plan for the fire companies. Joe and Tim Anger had met with each Fire Company individually and then with both as a group to discuss their needs. The combined needs of the Fire Companies over the next 5-10 years are approximately 9 million dollars. The conversation next is how to help them, as volunteers it will be hard to keep up with that amount of fundraising. One point discussed was combining fire companies. It was discussed that would lead to lower ratings for homeowners' insurance as it would put people outside the five-mile radius of a Fire Department and lengthen Response times to the Station. Property tax was discussed. Jim Krippe wanted to make sure we all understood that the Township takes in more than property tax. It was noted that Property tax is the only revenue stream that can be increased, and Upper Milford Township is the lowest of Lehigh County in Property Taxes. It was noted that a Fire Tax gives the ability to guarantee the revenue is directed towards the fire Companies however, there are concerns that a fire tax would lessen the ability to draw support for fundraisers. The Fire Company may have to give up some autonomy if the Township takes over purchasing future equipment. There would need to be guarantees for the residents if they are purchasing the equipment. The Vehicles would have to be titled or owned by the Township, or an agreement that if the Fire Company defaults in calls or payments the equipment then belongs to the Township. Angela Ashbrook asked about the numbers presented and if it was thought that a general tax increase wouldn't be equated with the Fire Companies if the funds ended up with them. Joe Terrible explained that the numbers were what was needed and as presented. It was noted with the Budget already advertised that any increase would be for the 2025 Budget. Phil Casey made a few comments on taxes. Scott Drobnis also comments on the response times.

The meeting ended with the Fire Companies and Volunteers tasked with determining the amount of funding they are asking to be provided from the Township to be presented in January.

**OTHER ISSUES:** - Joe Sherman spoke about an article in the Moring Call about PFAS Chemicals in the Fire Protection gear not just the foam.

**REPORTS:**

**Township Manager:**

Bud Carter – No Report

**Supervisors:**

John D. Zgura – No Report.

Daniel J. Mohr – No Report

Joyce K. Moore – No Report

**EXECUTIVE SESSION:** - Not needed.

**ADJOURNMENT:** Meeting was adjourned at 7:58 pm.

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11:18 AM

11/16/23

**UMT-GENERAL FUND**  
**BOS Meeting AP Disbursements Report**  
**November 16, 2023**

| Date                                     | Num   | Name                                  | Paid Amount       |
|--|-------|---------------------------------------|-------------------|
| <b>100.01 · PLGIT - General Fund Ckg</b> |       |                                       |                   |
| 11/16/2023                               | 22618 | AmTrust North America                 | -5,092.00         |
| 11/16/2023                               | 22619 | BECHTELSVILLE ASPHALT                 | -326.30           |
| 11/16/2023                               | 22620 | Crystal Springs                       | -41.72            |
| 11/16/2023                               | 22621 | Hanover Engineering Assoc., Inc.      | -660.00           |
| 11/16/2023                               | 22622 | John R Young & Co.                    | -725.45           |
| 11/16/2023                               | 22623 | LONGLEY INSURANCE AGENCY, INC.        | -12,099.00        |
| 11/16/2023                               | 22624 | Miller Municipal Supply, LLC          | -320.20           |
| 11/16/2023                               | 22625 | Monks Security Systems Inc            | -142.50           |
| 11/16/2023                               | 22626 | NAPA AUTO PARTS                       | -282.58           |
| 11/16/2023                               | 22627 | Ott Consulting Inc.                   | -19,898.88        |
| 11/16/2023                               | 22628 | PA Depart of environmental Protection | -100.00           |
| 11/16/2023                               | 22629 | PA ONE CALL SYS.                      | -53.28            |
| 11/16/2023                               | 22630 | PMHIC                                 | -31,842.54        |
| 11/16/2023                               | 22631 | PPL ELECTRIC UTILITIES                | -67.57            |
| 11/16/2023                               | 22632 | PSATS                                 | -161.00           |
| 11/16/2023                               | 22633 | Quigley Chevrolet                     | -32.68            |
| 11/16/2023                               | 22634 | Reynolds Business Systems             | -5,358.32         |
| 11/16/2023                               | 22635 | SAYLOR'S LAWN & LANDSCAPE INC.        | -302.50           |
| 11/16/2023                               | 22636 | Service Electric Cable TV Inc.        | -282.39           |
| 11/16/2023                               | 22637 | sherwin williams                      | -11.30            |
| 11/16/2023                               | 22638 | Shred-it, c/o Stericycle, Inc         | -61.26            |
| 11/16/2023                               | 22639 | Snap-on - Ryan Kunkle                 | -527.00           |
| 11/16/2023                               | 22640 | TIMES NEWS (East Penn Press)          | -62.74            |
| 11/16/2023                               | 22641 | unifirst                              | -210.22           |
| 11/16/2023                               | 22642 | VISA #6488 (KW)                       | -437.99           |
| 11/16/2023                               | 22643 | VISA #6512 (BC)                       | -1,294.65         |
| 11/16/2023                               | 22644 | VISA#2958 (JO)                        | -789.24           |
| 11/16/2023                               | 22645 | Wehrung's Macungie LLC                | -56.93            |
| Total 100.01 · PLGIT - General Fund Ckg  |       |                                       | -81,240.24        |
| <b>TOTAL</b>                             |       |                                       | <b>-81,240.24</b> |

11:05 AM

11/16/23

**UMT - FIRE HYDRANT FUND**  
**BOS Disbursement Report**  
**November 16, 2023**

| Type                           | Date       | Num  | Account                          | Credit   |
|--------------------------------|------------|------|----------------------------------|----------|
| <b>Lehigh County Authority</b> |            |      |                                  |          |
| Bill                           | 11/16/2023 | 8846 | 200.20 · accounts Payable        | 2,756.33 |
| Bill Pmt -Check                | 11/16/2023 | 1015 | 100.01 · PLGIT Fire Hydrant Fund | 2,756.33 |

11:03 AM

11/16/23

**OPEN SPACE REFERENDUM**  
**BOS Disbursement**  
**November 16, 2023**

| Type                            | Date       | Num      | Name                     | Credit   |
|---------------------------------|------------|----------|--------------------------|----------|
| <b>Agrarian Associates Inc.</b> |            |          |                          |          |
| Bill                            | 11/16/2023 | 23110... | Agrarian Associates Inc. | 1,700.00 |
| Bill Pmt -Check                 | 11/16/2023 | 1025     | Agrarian Associates Inc. | 1,700.00 |