

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
March 7<sup>th</sup>, 2024, 7pm  
**REGULAR MEETING MINUTES**

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**ATTENDANCE:** Supervisors; Daniel Mohr, John Zgura; Manager Edward Carter; Planning Coordinator Brian Miller, Solicitor Marc Fisher, Secretary/treasurer Jessi O'Donald. Absent: Angela Ashbrook

Meeting called to order at 7:00pm.

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** – Phil talked a bit about the Fire Companies and how they are not present in the room and should be if they want more money. He also suggested that they charge insurance companies for the cost of a call like Emmaus Borough is going to be doing.

Hector Ortiz – 4475 Benjamin Court asked if there was an update from the site visit that was had with The Township Manager, Township Engineer and Kay builders about the water concerns at his block of buildings in the Fields at Jasper Ridge.

Manager Carter stated that he had just received the site review letter from the Township Engineer and is going to review the letter and will get back to him soon.

**ACCEPTANCE OF MINUTES:**

Approval of February 15<sup>th</sup>, 2024, regular meeting minutes.

**MOTION:** Supervisor Mohr made a motion to accept the February 1<sup>st</sup>, 2024, minutes as presented. Supervisor Zgura seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's. **22857 to 22911** in the amount of **\$62,451.24**

**STREET LIGHT FUND:**

PLGIT XXXX7125 - Check No. **1402** in the amount of **\$2,301.21**

**OPEN SPACE REF. FUND:**

PLGIT XXXX7146 - Check No. **1402** in the amount of **\$6,600.00**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

No Transfers

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

**SOLICITOR'S REPORT:**

1.) Ordinance No. 172 Weight limit for Tollgate Rd Bridge

The Ordinance has been dually advertised and is presented before you for adoption. This Ordinance sets weight limits and consequences for the bridge on Toll Gate Road.

**MOTION:** Supervisor Mohr made a motion to adopt Ordinance No. 172. Supervisor Zgura seconded the motions. Hearing no questions or comments, both were in favor, motion carried.

**OLD BUSINESS:** None

**NEW BUSINESS:**

- 1.) Behnke Preservation
  - a. Letter from Planning Coordinator Brian Miller
  - b. Approval of Check **1027** from **PLGIT #7146** in the amount of **\$1590.84**

As you may remember, the Behnke property on Acorn Drive was enrolled into the Township ASA in 2023. The Behnkes' also applied for agricultural preservation with Lehigh County at that time. The property area total from the survey completed for the County easement was 20.27 acres, approximately 1.94 acres of the Behnke property is in Upper Milford and the rest is in Lower Milford. The appraisal completed for the Lehigh County easement gave the easement a value of \$6,820 per acre. Since \$6,820 per acre is \$820 over the Lehigh County Agricultural Preservation maximum cap of \$6,000 per acre, the County is asking that Upper Milford add a total of \$1,590.80 to cover the "over the cap" costs for the 1.94 acres in Upper Milford, as we have done in the past by agreement with Lehigh County. If you agree to cover the "over the cap" total for our share of approximately 1.94 acres in Upper Milford, I would need a motion from the Board: (1) authorizing the Township Manager and the Township Solicitor to execute any and all documents on behalf of Upper Milford Township, including the attached Agreement for the purchase of an Agricultural Conservation Easement, regarding 5990 Acorn Drive, Emmaus, Pennsylvania; and (2) approving a total payment by Upper Milford Township of \$1,590.80 representing the "over the cap" costs.

**MOTION:** Supervisor Zgura made a motion to approve the preservation for the Benke Property on Acorn Drive and the payment for the 1.94 acres for a total payment from Upper Milford Township of \$1590.80. Supervisor Mohr seconded the motion. Hearing no questions or comments, both were in favor, motion carried.

- 2.) Vera Cruz Fire Company request for reinvestment of Capital funds to new TERM.
  - a. Letter from VCFD

At the General Membership Meeting of Citizens Fire Company of Upper Milford Township on February 5th, 2024, a motion was made to reinvest the \$300,000.00 and the \$142,000.00 (plus the interest it gained) from our capital Reserve Fund into a PLGIT/TERM for a period of 270 days. The February 5th, 2024, meeting minutes were read and approved at our March 4th, 2024, General Membership Meeting. Attached are the approved minutes.  
Thank you for your assistance in this matter.

There was a brief discussion as to approve both reinvestments now or, wait for the reinvestment of the second maturity date until the time gets closer.

**MOTION:** Supervisor Mohr made a motion to approve the reinvestment of the \$300,000.00 Term transaction plus interest into another 270-day TERM transaction and ask the Fire Company to review the rates for the second amount requested as the timing gets closer. Supervisor Zgura seconded the motion. Hearing no questions or comments, both 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: None

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: No Report

Fire Companies: Joe Sherman stated that the Fire Companies were not present due to joint hazmat training. He also wanted to let everyone know that as of Monday evening at 7pm he and his wife resigned their positions with Citizens Fire Company. Joe stated he will now attend these meetings as a tax payer.

Emmaus Library: No Report

Recreation Commission: No Report

Township Manager:

Bud Carter – No Report

Supervisors:

Daniel J. Mohr – No Report

Angela Ashbrook – Absent

John D. Zgura – March 20<sup>th</sup> is the next joint Emergency Services with the Board of Supervisors to continue the discussion of the Fire Company funding needs. The Board of Supervisors will continue that discussion at the Board of Supervisors meeting on March 21<sup>st</sup>. No decisions will be made on March 20<sup>th</sup> at the ESC meeting, decisions will possibly be made at the March 21<sup>st</sup> Board of Supervisors meeting.

**EXECUTIVE SESSION:** - Not needed.

**ADJOURNMENT:** Meeting was adjourned at 7:19 pm.

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Chairman John D Zgura

**03/21/2024**  
Date

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Secretary/Treasurer Jessi O'Donald