

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
April 18th, 2024, 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.

Join us in a moment of silence for resident and longtime community advocate Henry Kradjel. Henry passed on April 7th at the age of 94. Henry owned the store in the village of Zionsville. Mr. Kradjel was a member of the Township's Planning Commission for forty-four (44) years, serving as Comprehensive Plan Committee Member through several revisions over the years. Mr. Kradjel served as the Township's Zoning Officer during the 1980's and was elected and served as a member of the Board of Supervisors from 2004-2010

PUBLIC INPUT:

ACCEPTANCE OF MINUTES:

Approval of April 4th, 2024, regular meeting minutes.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. 22982 to 23011 in the amount of \$70,853.22

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's. 2024-027 to 2024-029

SOLICITOR'S REPORT:

PLANNING COMMISSION – NEW BUSINESS:

- 1.) Contingent Final Approval for Kay Builders-Twin Run Development
 - a. Letter from Planning Co

OLD BUSINESS:

- 1.) Fire Company Funding Discussion

NEW BUSINESS:

- 1.) Resolution 2024-023 Behnke Preservation (preservation documents approved March 7th)
- 2.) Resolution 2024-024 Salem Bible Church Road Cross Pipe Replacement Budget Adjustment

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

SUBDIVISIONS – IMPROVEMENTS:

- 1.) Brookshire time extension until June 8th, 2025.
 - a. letter from Joseph Steinheiser of Judd Builders.

- 2.) Stone Ridge Estates time extension until June 15, 2025.
 - a. letter from Judy Daddona of Double D Lehigh LP

CORRESPONDENCE:

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:
 - Daniel J. Mohr –
 - Angela Ashbrook –
 - John D. Zgura –

EXECUTIVE SESSION: - If needed

ADJOURNMENT:

AGENDA PART II:
UNFINISHED BUSINESS (NO ACTION ANTICIPATED):
OLD BUSINESS:

- 1. Indian Creek Industrial Park Subdivision:

Letter dated 01/31/07 from the Planning Commission recommending Preliminary Plan Approval contingent upon Township Engineer comments in their review letter dated 01/25/07.
(This approval is granted an extension until Dec. 31, 2020)

- 2. Morrissey Property Concerns
 - 3. Open Space Update
 - 4. Zoning and SALDO Update
 - 5. Krause Property Concerns
 - 6. Indian Mill Creek –completion
- END AGENDA PART II:

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
April 4th, 2024, 7pm
REGULAR MEETING MINUTES

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

Meeting called to order at 7:00 pm.

Pledge of Allegiance to the flag.

ANNOUNCEMENTS:

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PUBLIC INPUT:

Phil Casey – Phil asked what the average tax is (\$104.00). He asked about the donation to the Fire Companies. [Which is \$35,000.00 per company per year.] He asked where the \$512,249.78 in the newsletter came from. He claims he hears the sky is always falling. He also asked about the need for new emergency radios since the County administrator stated the County would be helping with that. Supervisor Zgura responded that the County would be holding the bond for the radios, but the Municipalities would be paying for the radios. Phil also stated he has heard from the Fire Companies that they need funds, he suggested using some of the donation to have a third-party Audit of the Fire Companies.

Jim Krippe - Jim felt the numbers in the article were fudged as he didn't believe the Foreign Fire money shouldn't be part of the equation. He claimed to have looked at the article as a member of the public and that it shows the Fire Companies get more than they do compared to the library.

ACCEPTANCE OF MINUTES:

Approval of March 21st, 2024, regular meeting minutes.

MOTION: Supervisor Mohr made a motion to accept the March 21st, 2024, minutes as presented. Supervisor Zgura seconded the motion. Hearing no questions or comments, both were in favor, Supervisor Ashbrook abstained, motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **22949 to 22981** in the amount of **\$39,615.26**

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. **1403** in the amount of **\$422.03**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

No Transfers

MOTION: Supervisor Mohr made a motion to pay the bills as read. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

SOLICITOR'S REPORT:

1.) Interim Agricultural Security Area Review

As previously mentioned, Lehigh County is working with all municipalities within their jurisdiction to complete an Agricultural Security Area review to determine any properties that no longer qualify to be in the municipalities ASA. These are generally properties that were once enrolled into the ASA and have since been subdivided or have been developed and no longer meet the ASA requirements. Upper Milford's first ASA was created about 30 years ago, the total property area enrolled within the township boundary is 2,365 acres. Subdivisions & lot line adjustments influence a little over 79 acres of that area, where 157 new properties were created and should be reviewed by the ASA Board & the Planning Commission. Attached are two spreadsheets, one with the properties that should be reviewed and one that lists the properties that still meet the requirements to be in the ASA, there is also a map showing all the properties enrolled in Upper Milford. There will be some names & addresses that will need updating due to property sales, etc. but they can be updated during the review process. I would like to begin the review process and need your guidance for procedures to complete this task.

MOTION: Supervisor Mohr made a motion to Authorize Staff and Solicitor to Audit properties for qualification and inclusion in the ASA. Supervisor Ashbrook Seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

OLD BUSINESS:

1.) Fire Company Funding Discussion

Supervisor Mohr – He feels that is should be a General Fund Tax so as not hurt the fundraising of the Fire Departments.

Supervisor Ashbrook asked for clarification on the concern about the article in the newsletter. After a brief conversation, Treasurer O'Donald said she would check the calculations.

[Newsletter quote "Of the combined Real Estate Tax, LST and Foreign Fire Allotment at a total of \$512,249.78, the amount of \$308,000.00 or 60% is already allocated to the Fire Companies. \$38,000.00 or 7% of the funds are allocated to the Ambulance Corps. The total funds allocated to EMS and Fire Services equals 67% of the controllable revenue."]

[Foreign Fire Relief funds must be distributed to a Volunteer Fire Relief Association, but the Board can choose which Fire Relief Association the funds go to. Currently, the funds are distributed equally to the Fire Relief Associations within Upper Milford Township and is not money they need to raise but money that comes through the Township from the State.]

Supervisor Ashbrook went on to discuss response times, one fire company, the use of State Police. She didn't think the argument of response time by moving a fire company a mile or two was held that much weight in this discussion. She does agree with an audit of both fire companies for a base line to make sure where money is going or coming from. She doesn't feel like they have been given enough information since everyone is talking millions of dollars of tax money in the next ten years. There just isn't enough check and balances in place. She feels it should be a fire tax. Then it's one

pool of money and the Township is paying the bills out of that pool of money, and it provides much more transparency to the taxpayer.

Phil Casey – Is a Fire Tax the donation?

Jim Krippe – He asked about an assessment for one year. Then it wouldn't be a tax. For a one-time tax. Marc Fisher stated that it could be instituted for one year and redone each year but what Jim suggested isn't possible.

Supervisor Zgura wanted to discuss all options; tonight's option is to discuss the amount to give the fire companies. He feels the \$350,000 to \$400,000.00 per year to cover the radios, the future trucks. The Fire Companies would get \$35,000 per year for their bills and the remaining tax revenue would be set up separately into savings. This would all be accounted for separately for transparency. He felt we do one audit then continue to pay certain bills so there isn't a need to audit each year. He wants to be able to say where that money has gone. The cost is between \$10,000 and \$15,000 to Audit each Fire Company there might be a bit of saving through an agreed upon procedural review instead of a full audit. He feels if we are going to Audit the Fire Companies the money needs to come from the Capital Reserve accounts. He asked about the training and requirements. One company has a lot of Fire Fighter 1 trained fire volunteers whereas the other doesn't.

Dan Mohr explained that the money has been split evenly due to history had one company getting more than another so it was determined it would be split evenly from then on. He wasn't sure that was fair since one company has more calls than another. The conversation of one company isn't new. There was a pole taken years ago and they found most current volunteers wouldn't show up. He feels that pole should be taken again. He feels the tax needs to be looked at for next year to be re-evaluated after that. He would also like to see a monthly run-down of the financial reports. Each Company will need different equipment depending on the calls they received. Both Companies are dispatched during certain types of calls.

Frank Kuklis asked for clarification on the term of one Fire Company. He asked if it was really combining the fire companies or combining the administration. He stated the Companies are equal and will never be equal.

Mike Kline offered full disclosure of all accounts last year. All fire house meetings are open to the public. Join the meeting to see what they are doing. He offered to add the Board to the email chain on the financial reports each month. Spending \$30,000.00 to audit when we are looking at a tax increase is insane. Is the goal to support the volunteer fire departments right now or are they focused on going to paid fire in five years. If they want to protect the volunteer Fire Companies, then that is a choice.

Supervisor Ashbrook stated they are trying to support the Volunteer Fire Department but with transparency to the Taxpayer. She wanted to make sure a tax increase for the Fire Company is looked at separately than a general budget fund increase.

Shelly Zgura has listened to everything and doesn't see a problem with having one account that the Board of Supervisors then decides how that money is distributed. She felt that the Fire Companies must work together more and that it might not be a dollar-for-dollar distribution. They still may need to fundraise to contribute to their bills so they can save the Township funds for larger purchases. They are not equal, and they will not be equal. It is Taxpayer Money and Taxpayers should know where the money is going.

Jim Krippe stated the Board should read the ESC bylaws as some of this is what the committee was set up for.

There was some additional round table discussion of the topic and how other communities handle recouping fees and revenues.

NEW BUSINESS:

1.) Resolution 2024-022 – PSATS 457 Plan

The PSATS 457 Plan was introduced at the last meeting. The Resolution and Supplemental Participation agreement are here tonight for approval to enter the plan.

MOTION: Supervisor Ashbrook made a motion to approve Resolution 2024-022 and the Supplemental Participation Agreement for the PSATS 457 Plan. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

2.) Salem Bible Rd Culvert proposal

This project consists of the preparation of design plans, reports, permitting and construction documents, plus support during the bidding and construction phases for the replacement of twin culverts in Perkiomen Creek - a 48" by 60" corrugated metal pipe and a 42" cast iron pipe. The culverts are located in Salem Bible Church Road, near its intersections with Sigmund Road. According to our maps, Salem Bible Church Road is not a PENNDOT highway. Therefore, PENNDOT permitting is not required. OCI has already completed survey tasks related to the topographic survey and provided the Topographic Survey Plan to the Township. Any additional survey work required to fill in any gaps in this information would be billed on a time and materials basis through a Scope Change. Suggested Budget Summary for permitting and design \$14,285.

There was a brief conversation on permitting. Colt Hershinger asked why this isn't maintenance every 5-10 years to replace the culverts and why there is so much permitting. Manager Carter stated that the culvert replacement should last 50 years as the new ones will be concrete and culverts aren't replaced that often to be considered maintenance. John Hayes asked when this might occur. There isn't a definite time frame, but it will be announced.

MOTION: Supervisor Ashbrook made a motion to approve Task 1 for the permitting and Design work for a suggested Budget of \$14,285.00 with Ott Consulting Inc for the Salem Bible Church Road Culvert Replacement. Supervisor Mohr seconded the motion. Hearing no further 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: No Report

Emmaus Library: No Report

Recreation Commission: No Report

Township Manager:

Bud Carter – Bud wanted to thank Public Works and the Fire Companies for all of their hard work and assistance after the storm on Wednesday with the trees and power lines down and the brush fires that ignited from them.

Supervisors:

Daniel J. Mohr – Vera Cruz Community Association egg hunt hosted 120 children and lasted all of 6 seconds once they were told they could go. Just Born donated items for the baskets that were handed out and Citizens Fire Company helped with Traffic control. They were also notified that they are approved to rent the Northampton County Stage for Homecoming in August. Planning for that event is underway if anyone would like to volunteer.

Angela Ashbrook – No Report

John D. Zgura – No Report

EXECUTIVE SESSION: - Not needed.

Frank Kuklis raised his hand at the end of the meeting to bring up the concerns with truck traffic on the short side of Mill Rd next to his house. He had sent in photos and videos which were shared with the Board prior to the meeting. He asked if signs could be moved, and more signage added to help prevent the trucks from turning onto Mill Rd. Manager Carter stated he would investigate it but he is not sure there is any other place to put the signs due to regulations and that if a tractor Trailer Driver is only using a regular GPS program, then all the signs placed there probably won't prevent a truck from turning onto the road. The repositioning of signs will be looked into.

Jim Krippe then asked why the Board of Supervisors doesn't do a Road Survey anymore. Manager Carter stated that the requirement had been removed a while ago from the Second-Class Township Code to do a formal Road Condition Survey by the Supervisors.

ADJOURNMENT: Meeting was adjourned at 8:40 pm.

Chairman John D. Zgura

04/18/2024

Date

Secretary/Treasurer Jessi O'Donald

UMT-GENERAL FUND
BOS Meeting AP Disbursements Report
April 18, 2024

| <u>Date</u> | <u>Num</u> | <u>Name</u> | <u>Paid Amount</u> |
|--|------------|---|--------------------|
| 100.01 · PLGIT - General Fund Ckg | | | |
| 04/18/2024 | 22982 | Action Rental-Allentown | -157.32 |
| 04/18/2024 | 22983 | ALAN BROKATE - AP | -180.00 |
| 04/18/2024 | 22984 | Analytical Laboratories, Inc. | -60.00 |
| 04/18/2024 | 22985 | Boyertown Supply Inc | -316.99 |
| 04/18/2024 | 22986 | Foster & Foster Acutaries and Consultants | -950.00 |
| 04/18/2024 | 22987 | Gilmore & Associates, Inc | -3,424.28 |
| 04/18/2024 | 22988 | Golden Equipment Co., Inc. | -157.56 |
| 04/18/2024 | 22989 | LLS Graphics | -146.88 |
| 04/18/2024 | 22990 | LONGLEY INSURANCE AGENCY, INC. | -500.00 |
| 04/18/2024 | 22991 | M.A. YEAKEL SONS, INC. | -107.00 |
| 04/18/2024 | 22992 | Martin Stone Quarries, Inc. | -361.63 |
| 04/18/2024 | 22993 | MASTER SUPPLY LINE | -5.99 |
| 04/18/2024 | 22994 | Mohr, Daniel J | -251.35 |
| 04/18/2024 | 22995 | Oldcastle Lawn & Garden North | -1,758.24 |
| 04/18/2024 | 22996 | Ott Consulting Inc. | -13,741.27 |
| 04/18/2024 | 22997 | PENTELEDATA | -2,332.50 |
| 04/18/2024 | 22998 | PMHIC | -39,591.98 |
| 04/18/2024 | 22999 | PPL ELECTRIC UTILITIES | -169.99 |
| 04/18/2024 | 23000 | sherwin williams | -57.99 |
| 04/18/2024 | 23001 | Snyder Technologies | -3,942.50 |
| 04/18/2024 | 23002 | TIMES NEWS (East Penn Press) | -723.72 |
| 04/18/2024 | 23003 | unifirst | -309.45 |
| 04/18/2024 | 23004 | VISA # 3797 (RS) | -32.84 |
| 04/18/2024 | 23005 | VISA #6512 (BC) | -34.29 |
| 04/18/2024 | 23006 | VISA#2958 (JO) | -1,452.74 |
| 04/18/2024 | 23007 | Wehrung's Macungie LLC | -36.71 |
| 04/18/2024 | 23008 | Zionsville Area Food Pantry | -50.00 |
| 04/18/2024 | 23009 | VOIDED CHECK | 0.00 |
| 04/18/2024 | 23010 | VOIDED CHECK | 0.00 |
| 04/18/2024 | 23011 | VOIDED CHECK | 0.00 |
| Total 100.01 · PLGIT - General Fund Ckg | | | -70,853.22 |
| TOTAL | | | -70,853.22 |