

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
August 7th, 2025, 7pm
REGULAR MEETING MINUTES

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

Meeting was 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:

1.) **Bob & Susan Yoder** – Gary Dr. – Septic Concern

The Yoders are questioning why a permit was granted for their new sunroom where the septic measurements were off and their contractor dug holes through three of their septic infiltration runs. These runs are hard plastic and now need to be replaced. The septic as it is now replaced in 2004. The Yoders were the homeowners at the time of installation of the septic as it is now. They are questioning why the Township didn't have corrected or as built measurements on the plan in the file.

Brian Miller explained that a lot of time the septic installs are adjusted in the field and that normally measurements are adjusted on plans but their installation, while he remembers, mostly was over 20 years ago. He cannot speak to why the sunroom permit was approved with the site plan that was submitted.

Susan Yoder asked what happens now. Solicitor Fisher stated that the Manager would speak to staff and then report back to the Board. It would proceed from there.

2.) Jennifer Peters – 5621 Chestnut St – Jennifer read notes on her concern with Countryside Ice Cream changing hands and the Zoning Hearing Board Appeal. In her opinion she does not want to see another smoke shop in the area and the eye sores that they are. They have waited a long time to purchase the farm next to her in-laws and preserve the property and would like to see a family restaurant stay operating on the property that is Countryside. She likes the community she lives in and doesn't want to see what she feels will degrade the community.

ACCEPTANCE OF MINUTES:

Approval of July 17th, 2025, regular meeting minutes.

MOTION: Supervisor Zgura made a motion to approve the minutes as presented. Supervisor Ashbrook seconded the motion. Hearing no additions or corrections, all were in favor, motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7209 - Check No's. **1205 to 1251** in the amount of **\$89,703.81**

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. **1419** in the amount of **\$2,836.46**

HIGHWAY AID FUND

PLGIT XXXX717112 – Check no. **2648** in the amount of **\$2,491.83**

FIRE SERVICE FUND:

PLGIT XXXX7170 – Check No. ~~XXXX~~ in the amount of **\$19,932.02** dispersed from-General Fund

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's 2025-043 and 2025-044

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

SOLICITOR'S REPORT: No Report

OLD BUSINESS: None

NEW BUSINESS:

1.) Barker & Barker Extension Request for work at Lenape Park

There was a discussion over timeline and damages per the contract agreement for work performed for phase one of the Lenape Park upgrades. Solicitor Fisher stated that the only thing before the Board tonight was the time extension. Supervisor Ashbrook asked why no work has been done since June.

Vince Guadagnino of Barker & Barker explained that they are bringing in a contractor that just does court paving and that they value their reputation and they have corrected issues within their company to now finish this job correctly for the Township. Supervisor Ashbrook was inclined to grant the extension. Damages per this contract agreement are \$870 per day since August 1st.

MOTION: Supervisor Ashbrook made a motion to grant the extension until October 10th while not waving the right for the township to assess liquidated damages per the construction bid contract with Barker & Barker for the Lenape Park court paving, fencing and path upgrades. Supervisor Mohr seconded the motion. Colt asked what happens if they don't finish by October. Solicitor Fisher stated the damages can be discussed at that time. Hearing no further questions, Supervisors Ashbrook and Mohr were in favor, Supervisor Zgura abstained, motion carried.

2.) Hose and Nozzle Agreement

This is an agreement with the Fire Companies that if they stop running calls and the equipment is still viable the equipment purchased through the LSA grant will return the Township.

MOTION: Supervisor Ashbrook made a motion to adopt the Hose and Nozzle agreement for equipment purchased through the Lehigh/Northampton LSA grant. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

3.) Resolution 2025-033 Leonetti O&M

This is the usual Stormwater Operations and Maintenance agreement for parcels that need a stormwater plan. The homeowners have read and signed the agreement, and it is before the Board of Supervisors for adoption.

MOTION: Supervisor Ashbrook made a motion to approve Resolution No. 2025-033 O&M agreement for 7433 Chestnut St- Leonetti. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

4.) DCNR Landowner Agreement for Lenape Park Buffer planting

This agreement is the formal paperwork that is required by the Wildlands to use the DCNR funding they receive for the buffer area of Lenape Park. This buffer planting was within the approved plan for the phase one upgrade that corresponds with the DCNR grant received by the Township that is in progress now. Planting of this buffer area will be done with volunteers on September 13th, 2025, starting at 8 am.

Supervisor Ashbrook asked who will be maintaining this buffer. Secretary O'Donald stated that there will be a joint effort between Public Works, The Joint EAC and the Rec committee.

MOTION: Supervisor Zgura made a motion to approve the landowner agreement with the Wildlands for phase 1 of the buffer planting at Lenape Park. Supervisor Ashbrook 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: No Report

Emmaus Library: No Report

Recreation Commission: Lauren Haponski reported that there was a recommendation for additional benches at Churchview Park. The Recreation Committee will meet next on August 18th at Arrowhead Park at 7 pm.

Township Manager:

Bud Carter – No Report

Supervisors:

Angela Ashbrook – No Report

John D. Zgura – Supervisor Zgura explained that he works with Barker & Barker on projects and needed to recuse himself from the decisions on the Time Extension. He also wanted to make sure everyone understood the Zoning Hearing board appeal was for an addition to the building and not for the use of a smoke shop. That a Smoke Shop is permitted within the zoning district and is allowable by use as it falls under retail. The appeal is for the ability to add additional space to the building.

Daniel J. Mohr – Supervisor Mohr had wanted to talk about the Zoning Appeal for Countryside Ice Cream Property, but John explained it correctly. The second thing he wanted to talk about was the need for volunteers at the Vera Cruz Homecoming on August 17th from noon to 8pm. The committee has few members at this point, and they try very hard to keep putting on the events but really need new members and volunteers.

EXECUTIVE SESSION: - Not needed

ADJOURNMENT: Meeting was adjourned at

Chairman Daniel J. Mohr

August 21st, 2025
Date

Secretary/Treasurer Jessi O'Donald