

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
November 6th, 2025, 7pm
REGULAR MEETING MINUTES

Attendance: Supervisors: Daniel Mohr, Angela Ashbrook, John Zgura, 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:

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 October 16th, 2025, workshop and regular meeting minutes and October 30th Budget Workshop Minutes

MOTION: Supervisor Zgura made a motion to approve October 16th, 2025, Budget Workshop and Regular Meeting minutes along with Budget Workshop minutes from October 30th, 2025. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7209 - Check No's. 1412 to 1460 in the amount of \$88,557.14

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No. 1422 in the amount of \$3,414.01

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's. 2025-070 and 2025-071

MOTION: Supervisor Ashbrook made a motion to approve the payment of bills as read and acknowledge the bank transfers. Supervisor Zgura 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.) Western District Fire Company - Fire House Discussion/Proposal

Chief Michael Kline of Station #19 along with Salvatore Verrastro of Spillman Farmer Architects presented a concept illustration of a three phased plan to expand and renovate the Fire House on at 6341 Chestnut St into a building that will house the ordered Fire Truck and eventually add amenities that will help with maintenance along with recruitment and retention of volunteers. The first phase would be able to be a stand alone building behind the current structure that will house the fire vehicles and some equipment. The cost of it as broken down by the consultant would be approximately 1.4 million dollars to complete. The overall project of all three phases now would be approximately 4.1 million dollars. The Fire Company is asking for permission to have Township staff apply for the Statewide LSA Grant for the entire amount in hopes that they will be awarded the maximum amount of 1 million dollars. They would then be able to complete phase one for the new equipment. The hope is that over the next few years to be able to complete all three phases but if they cannot finish all phases at least the new apparatus building will be able to be used.

Supervisor Zgura asked about breakdown of cost estimates. Mr. Verrastro stated he would get the Township a complete breakdown of the phase one cost to complete that portion with Electric, HVAC and plumbing. He will also send Manager Carter a digital file with the information for the grant application. Supervisor Ashbrook asked about the Fire Company's ability to borrow funding for the remainder of the cost. Chief Kline stated that they would not be asking the Township for money toward their building. They would fund any amount over a possible grant award with a 2% loan and/or money from their own funds.

Manager Carter explained that this was informational, and the Board has two weeks to think about this project. At the next meeting the resolution for the grant application will be on the agenda for the Board to approve if they choose. In the mean time he asked for the ability to send the requests for grant support letters out to get that rolling since the deadline for the application is November 30th and if staff waits until the meeting on the 20th to send those out we might not get the support letters that are required in the correct amount of time to submit that with the application.

The Board understood the requests for the support letters and directed staff to proceed with the application process for final decision on November 20th.

2.) Approval to advertise 2026 Tentative Budget

MOTION: Supervisor Ashbrook made a motion to approve the advertisement of the 2026 tentative budget with the changes discussed in the workshop meeting. Supervisor Zgura seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

3.) Dillingersville Rd Truck Restriction – Discussion from Lower Milford Twp.

a. Letter from Brian Miller

Attached is a letter from Emmily Fucci Lower Milford Township Administrator. This is a request to allow Lower Milford to post Dillingersville Road at Churchview Road in Upper Milford Township with proper notice to allow truck traffic to take an alternate route, prior to getting to the portion of Dillingersville Road that will have truck restrictions on it. They are proposing to length restrict trucks on Dillingersville Road beginning at the Township line. The request notes that Lower Milford Township will purchase, erect and oversee future maintenance of the truck restriction signs. The letter also notes the intent to adopt this ordinance at their regular meeting on November 20th, 2025. A map depicting the location of the restriction area and requested sign area is attached. The proposed truck restriction would begin approximately 1/3rd of a mile off Churchview Rd. and 1 mile off Limeport Pike. I do have some concerns about routes that would be traveled by trucks after the

restriction is in place, and how restricting a portion of the road will work as far as enforcement is concerned. If the Board agrees, I would ask that Lower Milford hold off on adopting this Ordinance until the Township Solicitor and Staff have had time to review the impact that this restriction will have on roads in Upper Milford Township, prior to addressing the request. If you agree, Manager Carter or I can complete a letter to Lower Milford Township.

There was Supervisor discussion on the timing of the request and the ability to post this section. Resident Mike Steltz asked about repercussions with closures of other area roads for projects in the near future for projects.

Supervisors directed staff to contact Lower Milford and ask them to delay the adoption of their ordinance until Upper Milford Staff could review the proposal and how it might affect other Township roads.

4.) 7353 Salem Bible Church Road Easement Agreement

This agreement is for the Salem Bible Church Road Culvert replacement with temporary and permanent construction easements. It has been agreed to and signed by the homeowners.

MOTION: Supervisor Ashbrook made a motion to approve the construction easements agreement for 7353 Salem Bible Church Road. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

5.) Resolution 2025-036 – Storm Water O&M for 4620 Shimerville Rd

This is the standard Operations and Management agreement for stormwater for the project at 4620 Shimerville Rd and has been agreed to and signed by the owner.

MOTION: Supervisor Ashbrook made a motion to approve Resolution 2025-036 the O&M agreement for 4620 Shimerville Rd. Supervisor Zgura seconded the motion. Hearing no questions no comments, all were in favor, motion carried.

6.) Resolution 2025-039 – Stormwater O&M for 4803 Chestnut St.

This is the standard Operations and Management agreement for stormwater for the project at 4803 Chestnut St and has been agreed to and signed by the owner.

MOTION: Supervisor Zgura made a motion to approve Resolution 2025-039 the O&M agreement for 4803 Chestnut St. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

DEP MODULES / SEWAGE PLANNING: -

1.) Planning Module and waiver for non-building declaration for 5541 German Rd a. letter from Brian Miller

Attached you will find copies of the Sewage Facilities Planning Module & Request for Planning Waiver & Non-Building Declaration for 5541 German Rd. Emmaus, PA. These items are for a two-acre single lot minor subdivision; the remaining parent tract is twenty acres and currently there is an existing communications tower on it. The new lot has completed soil testing for both a primary & alternate septic area that meets DEP requirements. The Planning Commission & Twp. Staff reviewed the Sewage Facilities Planning Module & Request for Planning Waiver & Non-Building Declaration for

5541 German Rd. and recommended approval at their meeting on September 29th, 2025, contingent on receiving the final Pennsylvania Natural Diversity Inventory clearance. At this time the PNDI final clearance documents have been received. And both the Planning Module & Non-Building lot Declaration are complete and ready to be signed and submitted to DEP. If you agree a motion to approve the executing & submittal of the 5541 German Rd Sewage Facilities Planning Module and the Request for Planning Waiver & Non-Building Declaration to Pa DEP is in order.

MOTION: Supervisor Ashbrook made a motion to approve the planning module and waiver for 5541 German Rd. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS: - None

SUBDIVISIONS – IMPROVEMENTS:

1.) Credit Release N. 9 – Estates at Maple Ridge in the amount of \$244,015.13

In accordance with the request for release of secured funds dated September 30, 2025, (some items were adjusted per completed field conditions) we the undersigned hereby certify that the improvements required in connection with the Estates at Maple Ridge, have been completed to the extent that the Financial Security Agreement can be reduced by the amount of Two Hundred Forty-Four Thousand, Fifteen Dollars and Thirteen Cents (\$244,015.13), in accordance with the Subdivision Improvements Agreement dated May 11, 2022. This certificate authorizes the Penn Community Bank to reduce said amount, namely Two Hundred Forty-Four Thousand, Fifteen Dollars and Thirteen Cents (\$244,015.13) to owner or such other person as said owner shall designate. This authorization shall not be construed as final acceptance of improvements made to date.

In no event shall the escrow fund for the construction improvements associated with the Estates at Maple Ridge, be reduced to any amount less than Seven Hundred Fifteen Thousand, Ten Dollars and Thirteen Cents (\$715,010.13).

MOTION: Supervisor Zgura made a motion to grant Credit Release No. 9 in the amount of \$244,015.13 for the Estates at Maple Ridge. Supervisor Ashbrook seconded the motion. Hearing no further questions, all were in favor, motion carried.

Item No. 2 discussion.

There was discussion of the Fields at Indian Creek development and the time extensions. Solicitor Fisher explained that the phases had different extensions granted the last time they were requested. Phase 1 expires March 28, 2026, Phase 1B & 2 expires December 31st, 2025, Phase 3 expires November 7th, 2025, Phases 4&5 expire November 7th, 2025, and the Annex expires December 7th, 2025. There was discussion of what was left to complete in the developments. Supervisors Zgura and Ashbrook stated that they have drawn lines in the sand, and they keep running over them. Supervisor Zgura stated that he felt there is no reason for this development to not have been completed. Chris McClean from Fitzpatrick, Lentz and Bubba was representing Kay Builders and explained the timeline given or the schedule the Board had requested. Manager Carter gave an update on the work. Phase 1B & 2, 3 has all paving completed. No paving has been done in Phases 4 & 5. What is needed yet is the concrete work, and punch list items along with the Stormwater. Supervisor Zgura agreed there will be no more extensions. Solicitor Fisher explained how the process would work moving forward if the board chose to not extend the time extensions. The

Township would have to start the process of asking the court for the security funds and if they received cooperation then the Township would be responsible for completing the development.

2.) Fields at Indian Creek Phase 1B & 2 – Time Extension until July 18, 2026

Kay Builders is requesting a time extension to allow ample time to complete the improvements at the Fields at Indian Creek, Phase 1B & 2. Please place our request for an extension to July 18, 2026, on November 6, 2025, Board of Supervisors Agenda for the Board to act upon to allow us to complete the necessary improvements as per our updated schedule.

MOTION: Supervisor Ashbrook made a motion to deny the time extension request beyond December 31st, 2025, for phase 1B & 2 for the Fields at Indian Creek. Supervisor Zgura seconded the motion. Hearing no further questions, Supervisors Ashbrook and Zgura were in favor, Supervisor Mohr was against the motion, motion carried.

Fields at Indian Creek Phase 3 Time extension until July 18, 2026

Please accept this request for a time extension to July 18, 2026, for the Improvements Agreement for the Indian Creek Major Subdivision Phase 3 to allow time to complete the necessary improvements as per our updated schedule. Please let us know if you require any further information. Thank you for your attention to this matter.

MOTION: Supervisor Ashbrook made a motion to deny the requested time extension and direct staff and solicitor to take whatever steps necessary to obtain the security for the Township. Supervisor Zgura seconded the motion. Bill Bedics questioned how the Township could vote on an area not within the Township. Manager Carter stated that they were not discussing the Annex at this point. Phil Casey asked about the amount in the escrow and asked what the recourse is, if the Township has to finish the development. Supervisor Mohr stated the Township would have to pay for it. With a motion and a second, there were no further questions, Supervisor Ashbrook and Zgura were in favor, Supervisor Mohr was against the motion, motion carried.

Fields at Indian Creek Phase 4&5 – Time Extension until July 18, 2026

Kay Builders is requesting a time extension to complete the improvements at the Fields at Indian Creek, Phase 4 & 5 per our updated schedule, attached for review. Please place our request for an extension to July 18, 2026, on November 6th, 2025, Board of Supervisors Agenda for the Board to act upon. We thank you for your time and consideration while we finish out this project.

MOTION: Supervisor Ashbrook made a motion to deny the time extension beyond November 7th, 2025, and direct staff and solicitor to take the same steps to obtain the security for phases 4 & 5. Supervisor Zgura seconded the motion. Hearing no questions or comments, Supervisors Ashbrook and Zgura were in favor, Supervisor Mohr was against the motion, motion carried.

Fields at Indian Creek Annex – Time Extension until July 18, 2026

Kay Builders is requesting a time extension to complete the improvements at the Fields at Indian Creek, Annex per our updated schedule, attached for review. Please place our request for an extension to July 18, 2026, on November 6th, 2025, Board of Supervisors Agenda for the Board to act upon. We thank you for your time and consideration while we finish out this project.

Thank you for your time and consideration.

There was a question from Supervisor Ashbrook about how this affects Emmaus borough and the Township with this development. Solicitor Fisher explained that Emmaus Borough controls that within the Borough and Upper Milford Township controls what is within Upper Milford Township.

MOTION: Supervisor Ashbrook made a motion to deny the time extension request beyond December 7th, 2025, for the fields at Indian creek annex. Supervisor Zgura seconded the motion. Hearing no questions or comments, Supervisors Ashbrook and Zgura were in favor, Supervisor Mohr was against the motion, motion carried.

3.) Fields at Twin Run – Time Extension until August 22, 2026

Kay Builders is requesting a time extension to complete the improvements at the Fields at Twin Run, per our updated schedule, attached for review. As per the letter dated August 22, 2025, please place our request for a 365-day extension on the November 6, 2025 Board of Supervisors Agenda, for the Board to act upon. Pursuant to Section 10509(h) of the Pennsylvania Municipal Planning Code, First Northern Bank & Trust will be increasing remaining balance of outstanding work on the Line of Credit number 9024401 issued on November 18, 2024 the 10% as Upper Milford Township requests.

MOTION: Supervisor Zgura mad a motion to grant a time extension as requested until august 22, 2026. Supervisor Ashbrook seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

4.) Fields at Jasper Ridge – Time Extension until July 9th, 2026

Kay Builders is requesting a time extension to complete the improvements at the Fields at Jasper Ridge, per our updated schedule, attached for review. As per the letter received July 18, 2025, please place our request for an extension to July 9, 2026, on November 6th, 2025, Board of Supervisors Agenda for the Board to act upon.

Solicitor Fisher explained that the Board had granted the time extension until November 7th, 2025. In July Kay Builders requested time until August 7th and the Board granted an extension until November 7th with the understanding that there would be no further extension given except for the Stormwater.

Zgura asked why the punch list was scheduled for March and why the as-built plans would take four months. Manager Carter explained that the punch list was just recently given to the builder. They haven't had a lot of time to address punch list items.

Chirs McClean stated the as-built plan cannot be completed for the irrigation system until it is installed that is why there is a delay on the plans.

Supervisor Zgura stated he understands why the irrigation cannot be completed in the winter. Supervisor Ashbrook asked how much was on the punch list. Manager Carter explained that there is some grading and seeding which can't be completed until spring. Zgura stated he would be willing to go until the first meeting in May.

MOTION: Supervisor Zgura made a motion to approve a time extension until May 8th for the field at Jasper Ridge. Supervisor Mohr seconded the motion. Dave Skinner spoke about the stormwater in Fields at Indian Creek and they have had a hard time getting response for the Stormwater from Lehigh County Conservation. Brain Miller stated that Kay Builder was working on a wetland mitigation area. Bill Bedics was very upset with the Conservation District and the delays in decisions and couldn't get answers. He understands why Kay is asking for time extensions for stormwater due to the feeling of lack of moving forward for LCCD. Brain Miller stated that the new plan has been recently received and now with the Township Engineer. Brian Miller stated the Annex does have a small portion in the Township where the entrance is and a home or two. Manager Carter asked to move on as the motion didn't have to do with Fields at Indian Creek. Lauren Haponski from Jasper Ridge asked for clarification on the schedule. Manager Carter stated the schedule from Kay Builders is the same as before. Supervisor Zgura confirmed that the time extension is still going into 2026 but shorter than what was asked for. Phil Casey asked how many extensions have been associated with this project. He asked if these items were all addressed in planning and why these items are still being discussed. Jim Krippe asked about additional cost of inspections. Manager Carter explained that the inspection cost is reimbursable. There were no additional comments or questions, all were in favor, motion carried.

5.) Credit Release No. 12 – Fields at Jasper Ridge in the amount of \$70,008.42

In accordance with the request for release of secured funds dated October 7, 2025 (some items were adjusted per completed field conditions), we the undersigned hereby certify that the improvements required in connection with Jasper Ridge, have been completed to the extent that the Irrevocable Letter of Credit can be reduced by the amount of Seventy Thousand, Eight Dollars and Forty-Two Cents (\$70,008.42), in accordance with the Subdivision Improvements Agreement dated August 7, 2018. This certificate authorizes the Peoples Security Bank & Trust Company to reduce said amount, namely Seventy Thousand, Eight Dollars and Forty-Two Cents (\$70,008.42) to owner or such other person as said owner shall designate. This authorization shall not be construed as final acceptance of improvements made to date. In no event, shall the escrow fund for the construction improvements associated with the Jasper Ridge, be reduced to any amount less than Nine Hundred Three Thousand, Six Hundred Seventeen Dollars and Forty-One Cents (\$903,617.41).

MOTION: Supervisor Ashbrook made a motion to approve credit release No. 12 for the Fields at Indian Creek in the amount of \$70,008.42. Supervisor Zgura seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

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 – Lenape Park upgrades are open for use. There are a few punch list items to complete but courts are usable. The Supervisors held executive sessions on October 22nd at 3:00 pm and November 4th at 4:30 pm to discuss personnel matters.

Supervisors:

Angela Ashbrook – No Report

John D. Zgura – No Report

Daniel J. Mohr – No Report

EXECUTIVE SESSION: - Not needed

ADJOURNMENT: Meeting was adjourned at 8:20 pm.

Chairman Daniel J. Mohr

11/20/2025
Date

Secretary/Treasurer Jessi O'Donald