

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
October 7th, 2021 7pm
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors; Daniel Mohr, Joyce Moore, 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.

The Board of Supervisors held an executive session at 6:30 pm this evening for a Legal matter.

PUBLIC INPUT:

- Presentation for Fire Prevention Week – October 3rd-9th
 - o Ellen Kern – Chief of Staff – Senator Browne's Office
 - o Anna Stackhouse - District Legislative Aide – Representative Mackenzie's Office
 - o Proclamation – Upper Milford Township

Chief Joe Sherman was recognized for his 50 years of dedicated service to Vera Cruz Fire Company.

- Emmaus Public Library Yearly Report – Maryellen Kanarr – Librarian

Maryellen presented the current milestones for the Library and what the Library is working on, as well as the budgetary request for 2022.

Phil Casey: asked about the notation for the executive sessions. He felt the changes in the law stated the session had to be listed with more details on the agenda. Solicitor Fisher stated that he would look into it but that was not how he read the Law. Jim Krippe offered to show Solicitor Fisher on his phone how the law was worded.

ACCEPTANCE OF MINUTES:

Approval of September 16th Regular meeting minutes

MOTION: Supervisor Moore made a motion to approve the minutes as presented for the September 16th Supervisors meeting. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **20664 to 20724** in the amount of **\$ 184,574.33**

SREET LIGHT FUND:

PLGIT XXXX7125 - Check No's. **1371** in the amount of **\$ 2,199.92**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's 2021-056 to 2021-060

MOTION: Supervisor Moore made a motion to approve the 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:

- 1.) Buckeye Pipe Solar Farm Plan

Manager Carter stated that the parcel at the 3750 address that Mr. Krippe questioned of the Solar Plan proposal was not in Upper Milford Township. Mr. Krippe stated the research wasn't done well enough but that isn't his problem. There was a brief discussion of parcels that are taxed in bordering Townships and how the Public Utility tax is assessed by the state. It could be assumed this project as a generation station will be listed as a public utility asset once built. However the parcel in question is not within Upper Milford Township or taxed within Upper Milford Township. The parcel that is in Upper Milford Township on Tank Farm does not have any construction proposed on it.

NEW BUSINESS:

- 1.) Purchase of Tar Kettle
 - a. Memo from manager Carter

Public Works would like to purchase Emmaus Borough used Seal Master Crack Pro sealing kettle that the Borough purchase new in 2002, they have recently replaced this unit with a new machine. Upper Milford Publics Works, have borrowed this unit from the borough in the past to edge seal new blacktop and preform crack sealing on our roads. Emmaus Borough is asking \$4,500 for the unit, I would like to ask the board's approval to purchase the used Crack Sealer from Emmaus Borough for the price of \$4,500.

MOTION: Supervisor Moore made a motion to purchase the Seal Master Crack Pro Sealing kettle from the Borough of Emmaus for \$4,500.00 per Manager Carter's memo dated 10/05/2021. 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:

- 1.) Boundary Line Adjustment. 528 & 4002 South 2nd Street Emmaus
 - a. Letter from Planning Coordinator Brian Miller

This Lot Line Adjustment Plan takes place on the municipal border between Emmaus Borough & Upper Milford Township, for that reason it must be reviewed and approved by both municipalities or one municipality may defer approval to the other municipality. Currently the Township discussed this with The Borough of Emmaus and they indicated they would defer review and approval to Upper Milford Township. A letter stating the Borough of Emmaus defers review and approval too Upper Milford Township will be required, Emmaus Borough may also require a signature block with that noted on the plan. North Indicator direction. Drafting. There is a missing distance on the South

Western side of 528 S. 2nd Street. Drafting. There is a missing distance on the North East side of 528 S. 2nd. Street. Drafting. Remove double arrow for the bearing and dimension at the front of 4002 S. 2nd Street. Drafting. For the S. 2nd Street Right of way area we would prefer the following "Area offered for dedication to Upper Milford Township for Road Purposes, Area = 1501 S. F. (0.0344 AC)". Drafting. Remove the Reviewed By Township Engineer Signature Block. Drafting. Notation missing for the North East Property Corner Pin. Drafting, Indicate set, found, or to be set on the Plan. All pins to be set shall be completed and certified by the Surveyor in writing to the Township prior to plan recording. Lehigh Valley Planning Commission Review. Awaiting review letter.

There was a brief discussion of the lots and the taxing areas.

MOTION: Supervisor Moore made a motion to approve the lot Line Adjustment for 528 & 4002 South 2nd St Emmaus per Planning Coordinator Brian Miller's letter dated October 1st, 2021. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) 4650 Indian Creek Road, Zoning Change Recommendation
 - a. Letter from Planning Coordinator Brian Miller

At their meeting on October 4th, 2021 the Planning Commission reviewed the 4650 Indian Creek Road Zoning Change Request to change the Zoning District from Industrial to Suburban Residential. The Planning Commission also reviewed a sketch plan for a proposed development utilizing twin homes on the property if the zoning change were to take place (attached). The Planning Commission recommended that the property remain in the Industrial Zoning District and no change to the Zoning District be made at this time.

There was a discussion between Board members. Supervisor Zgura expressed that he thought there needed to be further discussion with the planning commission. Supervisor Mohr stated he explained that when he was on the Planning Commission that the Township in drawing the zoning ordinance had to have a space for each zoning type. He also stated that with joining the Southwest Comprehensive Plan this particular area was an area that as recommended to take out of Industrial due to the residential area surrounding this parcel and the lack of convenient access to the area for trucks. Industrial isn't needed now since other municipalities have zoning areas more suited for that use. Supervisor Moore agreed that a meeting to further discuss this with the Planning Commission would be a good idea.

MOTION: Supervisor Mohr made a motion to request and advertise for a special meeting between the Planning Commission and the Board of Supervisors at a mutually agreed on date for the purpose of discussing the Zoning change request for the parcel at 4650 Indian Creek Rd. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

SUBDIVISIONS – IMPROVEMENTS: None

CORRESPONDENCE: None

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report: Jim Krippe thanked Tim Anger for all of his hard work putting together the newsletter.

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: Report on Website

Fire Companies: Chief Sherman stated that Vera Cruz Fire Company had 27 calls in September and 155 so far for the year. He thanked the free press for the coverage of Fire Prevention in an article and wish more press to cover the topic. He reminded everyone that the time change is coming up. It's best practice to change smoke and carbon monoxide batteries as well as vacuum out heaters and ductwork to prevent the odor or possible fire that dust and debris can cause if it has fallen into the heaters and Clean out your Chimneys. They have started to get requests again for Fire Prevention programs. One was from the Lehigh Valley Baptist Church and the other from Premier Day Care. Community Day will be here at the Municipal Building on Sunday October 17th from noon to 3 pm.

Emmaus Library: No Further Report

Recreation Commission: Next meeting 10/18 at the municipal Building

Township Manager:

Bud Carter – No Report

Supervisors:

John Zgura – No Report

Joyce Moore – No Report

Daniel Mohr – Vera Cruz Halloween Parade is October 13th with a rain date of October 14th. Parade participants can line up starting at 6:00 pm. Parade moves at 7pm.

Phil Casey offered that he thought the new bridge on Rt 29 was awesome. The final pave has been completed and the turn lanes have been painted. It is nice to drive over. He asked about the Light at Allen St.

Manager Carter stated that PennDOT will not let the light project begin until all the work for the bridge is complete. The light will be a Spring 2022 project. PennDOT has to allow the Light project to start.

EXECUTIVE SESSION: Not Needed

ADJOURNMENT: Meeting was adjourned at 7:43 pm.

Chairman Daniel J. Mohr

October 21st, 2021
Date

Secretary Jessi O'Donald