

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
March 17th, 2022, 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

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:

- Eagle Scout Presentation – Reid Siminski

Reid presented his project of Bat houses, Bird Houses an insect shelter and removal of invasive plants at Churchview Park.

MOTION: Supervisor Moore made a motion to approve the Eagle Scout Project Presented by R. Siminski. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- Maryellen Kanarr and Anne Zayaitz – Emmaus Public Library

The Library Board President and the Library Director presented the yearly report. They discussed how much the Library is being used. Upcoming programs and Fund Raisers.

Phil Casey asked about the Library Funding from the Township. He felt if the Library had money in the bank that funding from the Township could be reduced. He acknowledged that the Library has become more of a community center but questions the money.

ACCEPTANCE OF MINUTES:

Approval of March 3rd, 2022 regular meeting minutes.

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

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **21089 to 21126** in the amount of **\$92,650.06**

STREET LIGHT FUND:

PLGIT XXXX7125 - Check No's. **1376** in the amount of **\$2,270.64**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's 2022-06 to 2022-012

MOTION: Supervisor Moore made a motion to pay 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: None

NEW BUSINESS:

- 1.) Resolution 2022-029 – O&M Agreement for 5430 Chestnut St.

RESOLUTION NO. 2022-029 Stormwater Best Management Practices Operations & Maintenance Agreement 5430 Chestnut St
Resolution of the Board of Supervisors of Upper Milford Township, Lehigh County, Pennsylvania to enter into a Stormwater Best Management Practices Operation and Maintenance Agreement and authorizing the signing and recording of the same.

MOTION: Supervisor Zgura made a motion to approve Resolution 2022-029 for the Stormwater O&M agreement for 5430 Chestnut St. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) APRA Funding and Grant Program Discussion
Mailer for Grant Program
~~Contract for GLV Chamber of Commerce for Grant Program – Tentative~~
 - a. Memo from Secretary O'Donald

Before you this evening is the proposed Small Business and Non Profit Grant Program. If the Board would like to proceed with this program I would recommend the Board of Supervisors to elect to take the one time standard deduction during the April ARPA Fund Reporting period. Taking this deduction would alleviate any cumbersome Audit requirements for Grant Recipient should Upper Milford Township be Audited for ARPA Fund Compliance. It would also be my recommendation to continue the planning process of the ARPA fund expenditures in compliance with allowances under the ACT.

There was a brief discussion on the audit and reporting requirements for the ARPA funding.

MOTION: Supervisor Moore made a motion to approve the ARPA Funding Grant program contingent upon approval of the contract with the GLV Chamber of Commerce. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

MOTION: Supervisor Moore made a motion to approve the Mailer through Ebc Printing with use of the ARPA funds as an expense for the Grant Program contingent on approval of the contract with GLV CC. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

MOTION: Supervisor Moore made a motion to elect the Standard Deduction for the ARPA Fund Reporting to alleviate the cost of audit expenses for the Grant Program. Supervisor Zgura 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:

- 1.) Langan Subdivision – Waiver Requests and Subdivision Approval
 - a. Letter from Planning Coordinator Brian Miller

At their meeting on November 29th, 2021 the Planning Commission reviewed the Langan Minor Subdivision Plan. The Planning Commission recommends that the Board of Supervisors grant the waivers requested by the applicant as noted in the attached waiver request letter from Brian Boyer of the Boyer Engineering LLC. Among the waivers listed the Applicant has requested a waiver to Section 107.F. to not require a fee- in lieu of recreation due to the nature of this subdivision not creating a new dwelling. At this time the applicant has been working to address all the items in the engineers review letter including outside agency requirements. If you agree with the above noted Waivers the Planning Commission has recommended approval of the Minor Subdivision Plan contingent on the applicant addressing all of the items in the Townships Engineers latest review letter (attached) and payment of any additional and outstanding fees incurred in the process.

Motion: Supervisor Moore made a motion to grant the waivers as requested, Section 1004.C.2 & 1004.L.3(a)(e) - To not require road widening along an existing street as part of a subdivision, Section 1004.L.3(e) - To not require a fee for street improvements, Section 1007.F - To not require a fee-in-lieu of dedicated land for recreation, Section 1011.B - To not require easements for stormwater or utilities along the perimeter of the property. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

MOTION: Supervisor Moore made a motion to approve the Langan Subdivision contingent upon addressing any outstanding items in the Ott Consulting Letter dated March 4th, 2022 and payment of any outstanding fees to the Township. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Dries Subdivision – Waiver Requests and Subdivision Approval
 - a. Letter from Planning Coordinator Brian Miller

At their meeting on January 31st, 2022 the Planning Commission reviewed the Dale & Lucy Dries Subdivision Plan. The Planning Commission recommends that the Board of Supervisors grant the Waivers requested by the applicant as noted in the attached waiver request letter from Ed Schlaner of the Martin H. Schuler Company. The Applicant has also requested a Deferral to Township Ordinance 129 that is also noted in the letter attached from Ed Schlaner. Due to the size of this project the Township Engineer Jeffrey Ott and I would support the deferral at this time contingent on the Applicant addressing the requirements of Ordinance 129 during the building permit stage. I would also note that the Applicant has been made aware that this will require additional engineering review cost at that time. The Applicant has also requested that the Board accept the required fee in lieu of recreation land rather than providing recreation land within the subdivision. At this time the applicant

has been working to address all the items in the engineers review letter including outside agency requirements. If you agree with the above noted Waivers, Deferral and Fee in Lieu of recreation land, the Planning Commission has recommended Approval of the Subdivision Plan contingent on the applicant addressing all of the items in the Townships Engineers latest review letter dated 1/24/22 (attached) and payment of any additional and outstanding fees incurred in the process.

Motion: Supervisor Moore made a motion to approve the waivers as requested, Section 202 (Definitions)-Driveway, Shared Driveway, Street or Road, Section 703.D -Location of natural features on site and within 100-feet of the site, Section 703.E - Existing manmade features within 100-feet of the site, Section 1004.A.1 and 2 - Access to streets, Section 1004.C - Street continuations, Section 1006.D - Flag Lots - Side lot lines shall abut and be approximately at right angles to straight streets and on radial lines to curved streets, Section 1006.F.5-Flag Lots -The minimum lot width shall be met at the proposed front yard principal building setback line, Section 1014.A, Section 1015.A and Section 1015.B - Curbs, Sidewalk or Pathways requirements, Section 1019.A - Street trees, SALDO Article 8 - Improvement Guarantees, Section 1004.E.11- Driveway Radii requiring a 15 foot radius. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

MOTION: Supervisor Moore made a motion to approve the deferral of section 129 as long as it is addressed during the permitting process. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

MOTION: Supervisor Moore made a motion to approve the subdivision contingent on all outstanding items in the Ott Consulting dated January 24, 2022 letter being addressed, acceptance of the fee in Lieu of recreation being paid and all outstanding fees paid to the Township. Supervisor Zgura 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: No Report

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: Report on Website

Fire Companies: No Report

Emmaus Library: No Further Report

Recreation Commission: No Report

Township Manager:

Bud Carter – No Report

Supervisors:

John D. Zgura – No Report

Joyce K. Moore – No Report

Daniel J. Mohr – The Vera Cruz Community association is looking for a stage to rent for Homecoming in August. All the stages they normally rent are booked. The Easter Egg Hunt is back on this year and will be done with all plastic filled eggs. The Egg Hunt is April 16th.

EXECUTIVE SESSION: - Not needed

PUBLIC INPUT: Phil Casey is questioning the traffic on Main Rd and Acorn Drive with the Bridge closed on Vera Cruz Rd. He has seen many Tractor Trailer Trucks trying to make the turn onto and off of Acorn Dr. He is wondering if the speed sign can be placed along Main Rd. he offered his property for placement.

ADJOURNMENT: Meeting adjourned at 7:43 pm

Chairman Daniel J. Mohr

04/07/2022
Date

Secretary Jessi O'Donald