

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
November 3<sup>rd</sup>, 2022, 7pm  
REGULAR MEETING MINUTES

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**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:**

**James Krippe:** Jim noted that the agenda wasn't on the website 24 hours in advance and that he found three locations at the municipal garage property for the pole building instead of the municipal office location.

Secretary O'Donald stated there were technical difficulties with the website.

**ACCEPTANCE OF MINUTES:**

Approval of October 20<sup>th</sup>, 2022, regular meeting minutes.

**MOTION:** Supervisor Moore made a motion to accept 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. **21662 to 21705** in the amount of **\$134,748.09**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer No.'s 2022-070 to 2022-077

**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:** None

**NEW BUSINESS:**

- 1.) Tentative 2023 budget – approval to be advertised

Supervisor Moore asked if the numbers were the same from the draft budget. Secretary O'Donald confirmed they were. Supervisor Zgura had reservations about the loader in the budget. He has thought that maybe the Township should purchase two used pieces of equipment (a loader and a backhoe) instead of one new loader at the cost of \$225,000.00. Manager Carter stated the loader is a 2008 with 5400 hours on it. The cost of the loader would be shopped around. The number in the budget is a place holder and the final cost and approval to purchase would be for the Board to approve later when that information was available. The cost of loaders has jumped \$25,000 since the first estimate was received and would probably go higher in the future. The loader has been used since purchase in the salt shed to move salt and load trucks each winter. His concern is that the loader is starting to cost significant repairs but still has a value of approximately \$60,000. If we can order a loader this year and take delivery within 12-24 months, then the current loader still has value to offset the cost of the new one. Holding on the current loader runs the Township a risk of a larger breakdown during a winter storm where finding a loader for rental would be problematic.

**MOTION:** Supervisor Moore made a motion to approve the tentative budget as presented. Supervisor Mohr seconded the motion. Hearing no questions or comments, Supervisor Moore and Mohr were in favor, Supervisor Zgura was not in favor, motion carried.

- 2.) Resignation of Recreation Chairman – Robert Mutchler
  - a. Email from Robert Mutchler

Email from Robert Mutchler: It is with a heavy heart, actually a bad one, that I will be stepping down as chairman and member of the recreation committee. Your continued support of our parks and the UMYA is amazing. The condition and beauty of our parks is a matter of great pride to myself and should be for all the residents of the township. I've received countless comments and complaints from many families from all around the valley from my years being involved with coaching. Keep up the great work. Can't wait to see what the future improvements will look like.

**MOTION:** Supervisor Moore made a motion to accept Robert Mutchler's resignation from the Recreation Committee and thank him for his service. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 3.) Appointment of J. Welch to Recreation Committee to fill term until, Jan 3, 2028  
Appointment of J. Welch to Open Space Committee to fill term until, Jan 2, 2025
  - a. Memo from Secretary O'Donald

With the resignation of Robert Mutchler, I would like to recommend the appointment of Jim Welch to the Recreation and Open Space committees. I would like to ask the Board of Supervisors to appoint Mr. Welch to the recreation Committee to fill that remaining of Robert Mutchler's term and to appoint him with a term end of January 3<sup>rd</sup>, 2028, and to the Open Space committee with a term end of January 2<sup>nd</sup>, 2025.

**MOTION:** Supervisor Moore made a motion to Appoint John Welch as noted in Secretary O'Donald's memo above. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 4.) Appointment of C. Peters to the Planning Commission to fill term
  - a. Memo from Manager Carter

With the passing Judy Parker, I would like to ask the board to appoint Charles D. Peters, Jr. to fill the vacancy left by Judy Parker on the Planning Commission  
Mr. Peters applications of interest was forwarded to each of you and is attached, he had a history of severing his community.

**MOTION:** Supervisor Moore made a motion to appoint Charles Peters Jr to the planning commission as noted in Manager Carters memo above. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

5.) Discussion of Rt 29 traffic improvements

There was a discussion of sidewalks along the Rt 29 improvements area between Buckeye Rd and Colebrook Rd traffic lights. It was noted that there are more people walking that area then previously expected to be along with the new development and growing kids attracted to Dunkin Donuts. Maintenance concerns were discussed.

**MOTION:** Supervisor Mohr made a motion to direct staff to continue proceeding with sidewalk planning in this area. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

6.) Approval – Construction Easement Agreement for 3621 Quarry Drive

The replacement of the Quarry Rd Bridge needs a small area along the property of 3621 Quarry Dr to place equipment and erosion control for the construction. The agreement has been signed by the owners of 3621 Quarry Dr and has been reviewed by the Township Solicitor.

**MOTION:** Supervisor Moore made a motion to approve the Construction Easement Agreement with the owners of 3621 Quarry Drive for the Bridge reconstruction. Supervisor Zgura 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:**

- 1.) Credit Release No. 6 – Fields at Indian Creek in the amount of \$101,109.79.
  - a. Letter from Township Engineer Jeffery Ott dated October 24, 2022

In accordance with the request for release of secured funds dated October 7, 2022, we the undersigned hereby certify that the improvements required in connection with the Phase IV & V Final Plan of Fields at Indian Creek, have been completed to the extent that the Irrevocable Letter of Credit can be reduced by the amount of One Hundred One Thousand, One Hundred Nine Dollars and Seventy-Nine Cents (\$101,109.79), in accordance with the Subdivision Improvements Agreement dated August 30, 2019. This certificate authorizes the Peoples Security Bank & Trust Company to reduce said amount, namely One Hundred One Thousand, One Hundred Nine Dollars and Seventy-Nine Cents (\$101,109.79) 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 Fields at Indian Creek Major Subdivision Phase IV & V, be reduced to any amount less than Four Hundred Seventy-Eight Thousand, Thirty-One Dollars and Seventy-Four Cents (\$478,031.74).

**MOTION:** Supervisor Moore made a motion to approve credit release number 6 for the Fields at Indian Creek in the amount of \$101,109.79. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Credit Release No. 3 – Estates at Maple Ridge in the amount of \$278,704.58.
  - a. Letter from Township Engineer Jeffery Ott dated November 1, 2022

In accordance with the request for release of secured funds dated October 28, 2022, 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 Seventy-Eight Thousand, Seven Hundred Four Dollars and Fifty-Eight Cents (\$278,704.58), 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 Seventy-Eight Thousand, Seven Hundred Four Dollars and Fifty-Eight Cents (\$278,704.58) 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 Two Million, Two Hundred Thirty-Two Thousand, Eight Hundred Six Dollars and Sixty-Nine Cents (\$2,232,806.69).

**MOTION:** Supervisor Moore made a motion to approve credit release number 3 for the Estates at Maple Ridge in the amount of \$278,704.58. Supervisor Zgura seconded the motion. Hearing no 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: Lisa Marten reported the Library will retain their Gold Star Family Status through December 2023 with the PA Forward Program. They continue to build capacity and patrons. They have 6 different computer classes in November, along with numerous workshops in writing and math.

Recreation Commission: No Report

Township Manager:

Bud Carter – No Report

Supervisors:

John D. Zgura – Asked about ARPA funding and moving money to the PLGIT investment program for 270 days for the Fire Companies. It was stated that money could be moved into investment with a motion to direct staff or a Resolution to reappropriate funds. Secretary O’Donald questioned where the money would go after the 270-day term. If it would go to the Fire Companies Capital Funds or just the interest. Supervisor Moore suggested the Fire Companies present to the Board what they would need more money for since the Township budgets funds for them each year.

Joyce K. Moore – Thanked Mohr Plumbing for getting her water back on.

Daniel J. Mohr – No Report but questioned muddy water in the tributary behind the Vera Cruz Tavern and asked it to be looked into.

**EXECUTIVE SESSION:** - Not needed

**ADJOURNMENT:** Meeting adjourned at 7:55 pm.

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**Chairman Daniel J. Mohr**

**11/17/2022**  
**Date**

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**Secretary Jessi o’Donald**