

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

*Public Packet*

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

**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

**SOLICITOR'S REPORT:**

**OLD BUSINESS:**

**NEW BUSINESS:**

- 1.) Tentative 2023 budget – approval to be advertised
- 2.) Resignation of Recreation Chairman – Robert Mutchler
  - a. Email from Robert Mutchler
- 3.) Appointment of J. Welch to Recreation Committee to fill term until  
Appointment of J. Welch to Open Space Committee to fill term until
  - a. Memo from Secretary O'Donald
- 4.) Appointment of C. Peters to the Planning Commission to fill term until
  - a. Memo from Manager Carter
- 5.) Discussion of Rt 29 traffic improvements
- 6.) Approval – Construction Easement Agreement for 3621 Quarry Drive

**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
- 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

**CORRESPONDENCE:**

**OTHER ISSUES:** - None

**REPORTS:**

Emergency Services Committee Report:

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: No Report

Fire Companies:

Emmaus Library:

Recreation Commission:

Township Manager:

Bud Carter –

Supervisors:

John D. Zgura –

Joyce K. Moore –

Daniel J. Mohr –

**EXECUTIVE SESSION:** - If needed

**ADJOURNMENT:**

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**AGENDA PART II:**

**UNFINISHED BUSINESS (NO ACTION ANTICIPATED):**

**OLD BUSINESS:**

1. Indian Creek Industrial Park Subdivision:

Letter dated 01/31/07 from the Planning Commission recommending Preliminary Plan Approval contingent upon Township Engineer comments in their review letter dated 01/25/07.  
(This approval is granted an extension until Dec. 31, 2020)

2. Morrissey Property Concerns

3. Open Space Update

4. Zoning and SALDO Update

5. Krause Property Concerns

6. Indian Mill Creek –completion

END AGENDA PART II:

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
October 20<sup>th</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.

Upper Milford Board of Supervisors held an executive session on Friday October 14 at 9am for employee reviews.

**PUBLIC INPUT:**

Emmaus Public Library – Presentation

Maryellen Kanarr gave the library's yearly power point presentation. Highlighted as follows:

Thank you to Upper Milford township for their continued support of the Emmaus Public Library over the last 80+ years! The library has retained its PA Forward Star Program Gold Level status for its literacy materials and events. The mission of this library is to enrich our community and inspire lifelong learning by uniting people, ideas, and information. Upper Milford residents have checked out 18,974 physical items over the last year. 122 Upper Milford residents joined the 2022 Summer Reading Club. Currently, 2,447 Upper Milford residents (ages 5 & older) hold an active library. A new online platform Kanopy, providing home library card holders free access to thousands of streaming movies, inspiring documentaries, award-winning foreign films & educational kids' programming! With the help of grants, gifts, & fundraising, the library was able to add a Science, Technology, Engineering, & Mathematics (STEM) workstation in the Young Adult Area that allows tinkering. We added new technology furniture to the Adult Area & a new outdoor book drop. A new ADA-friendly service desk will be installed soon thanks to a grant from the Trexler Trust! The library was awarded a PLA digital literacy learning grant to cover basic computer workshops for the public! These will begin in the fall. Resource sharing through the Lehigh Carbon Library Cooperative and its open-source platform. Approximately 78 volunteer hours a week help keep payroll down. Summer interns funded through Careerlink program. Buying materials at a large discount and circulating items many times. Payroll is wages & taxes only; staff receives no healthcare or pension benefits. Our second annual indoor mini-golf fundraiser raised over \$9,000! 3% respectfully requested for library budget increase for 2023. We request the 2023 approved amount of \$46,701. Library materials are mandated by the state to be 12% of the budget. The library must operate at least 45 hours per week in order to receive state funding. The library is a 501c3 nonprofit organization, overseen by the Bureau of Commonwealth Libraries under the PA Education Department.

**Phil Casey:** He asked the library how much of the budget was payroll. Maryellen stated the amount and noted that there are no benefits with that amount. There is no pension or healthcare provided.

**Jim Krippe:** He stated he saw a copy of the draft budget and is questioning the Pole Building that is in the budget. He felt the building should be built at the Public Works Garage Property. He also felt the municipal property didn't have room due to the septic system.

Manager Carter answered that it was investigated to build at the Public Works Property but there isn't room and that soil testing for a secondary system at the municipal building had been preformed to make sure there was room for the pole building. The pole building will house the Rangers that staff use and Public Works equipment.

**Phil Casey:** He inquired about the water concerns from the Estates at Maple Ridge development during the last storm.

Supervisors Mohr and Zgura stated they both saw the issues. Supervisor Zgura and Manager Carter met with the developer on site at 7am the next morning to go over what happened. It was noted that the road will be paved and the more E&S will be installed on site until the construction is complete of the stormwater facilities and they get some vegetation to grow.

**Frank Kuklis:** 4190 Mill Rd – Frank had three items to discuss. 1.) Truck Traffic that is on Mill Rd and trying to make a right hand turn onto Shimerville RD. When he is home, he tries to help the drivers, but it ties up traffic for a while and he is requesting a limit to the size of trucks that can turn onto Mill Rd from Vera Cruz Rd. 2.) The bridge on Shimerville rd has pieces missing and rebar missing, and he has asked for there to be something done about the bridge for years. He feels that other items have taken precedence and yet Shimerville Rd is a very busy road through the Township. He noted that he thinks the process should be started now since it can take a long time to get the permits from the state to fix this bridge. 3.) the pipe through he yard that bring the water from the catch basin on the other side of Mill RD through his yard to the creek. Public Works had unclogged it a few years ago and he would like more to be done to correct the water issue. He would like the pip relocated to the road easement.

#### **ACCEPTANCE OF MINUTES:**

Approval of October 6<sup>th</sup>, 2022, regular meeting minutes.

**MOTION:** Supervisor Zgura made a motion to accept the minutes as presented. Supervisor Moore 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. **21630 to 21660** in the amount of **\$79,392.14**

##### **STREET LIGHT FUND:**

PLGIT XXXX7125 - Check No's. **1383** in the amount of **\$1,835.49**

##### **ACKNOWLEDGEMENT OF BANK TRANSFERS:**

No Transfers

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

**SOLICITOR'S REPORT:**

1.) Resolution 2022-035 Act 57 of 2022

This is a mandatory resolution per Act 57 of 2022.

Phil Casey asked for clarification on the waiving of tax fees.

Solicitor Fisher stated that it was only interest and penalty fees in certain circumstances if the property owner didn't receive a tax bill and certain steps were followed. This by no means waived the tax and is only waiving interest and penalty if the new resident didn't receive the bill due to a timing issue and the bill being sent to the former owner.

**MOTION:** Supervisor Zgura made a motion to approve Resolution 2022-035 for the provisions of Act 57 of 2022. Supervisor Moore seconded the motion. Hearing no questions, no further comments, all were in favor, motion carried.

**OLD BUSINESS:**

1.) Vending Machine request for Lenape Park

There was a discussion of location. It was mentioned that during the Recreation Committee Meeting Monday that the location was to be under the main roof between the roll up windows at the snack stand. Electric is located conveniently. There was a brief discussion.

**MOTION:** Supervisor Moore made a motion to grant preliminary approval contingent upon staff and solicitor's seeing a satisfactory contract from Pepsi on the machine to be installed at Lenape Park. Supervisor Zgura seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

**NEW BUSINESS:**

1.) Resolution 2022-037 – O&M Estates at Maple Ridge Development

**MOTION:** Supervisor Zgura made a motion to approve resolution 2022-037 Operational and Maintenance Agreement for the stormwater plan at the Estate at Maple Ridge. Supervisor Moore seconded the motion. Hearing no comments or questions, all were in favor, motion carried.

2.) Maple Ridge Traffic Improvements Agreement

a. Memo from Manager Carter/Planning Coordinator Brian Miller

Throughout the planning process for the Maple Ridge Sub-Division, there were multiply discussions with W.B. Homes the developer of Maple Ridge on whether a traffic study would be necessary for this development because of the limited number of homes being added, and the access is on Main Road West. W.B. Homes offered a contribute to the township instead of performing the traffic study; they

agree to contribute \$10,000 for the township to use at its discretion for offsite road improvement's where we chose. Before you tonight is an agreement that has been prepared by Attorney Fisher that the developer has signed, along with a check for the \$10,000.

•UMiT SALDO Section 1004. M. 2. d. states that in lieu of submitting a traffic impact study under the provisions of section 10, the Board may approve a modification to accept a fee from an applicant to be used to make an improvement to a street that otherwise would not be required by the Township or State. •The Penn Dot Highway Occupancy Permit requires approximately 560' of widening along Main Rd West. •Penn DOT did not require any offsite improvements for the project. •The entrance to the development is onto a Penn DOT Road and both of the closest major intersections to the Estates at Maple Ridge are Penn DOT roads. (Main Rd E. & Vera Cruz Rd.) & (Shimerville, Saint Peters & Chestnut St.). •The Township Traffic Engineer Peter Terry is in favor of accepting the Fee in Lieu of and agrees that a Traffic study would show a very minimal impact to municipal roads.

**MOTION:** Supervisor Zgura made a motion to approve the Traffic Improvements Agreement with WB Homes for the Estates at Maple Ridge. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

3.) Approval to advertise for Quarry Road Bridge Bids  
a. Memo from Manager Carter

Rettew Associates has completed all the environmental studies and required engineering to complete the bid package for the replacement of the Quarry Road Bridge. At this time, I would like to ask the board for permission to advertise for the bids to replacement the Quarry Road Bridge, Rettew will be placing the advertisements in the East Penn Press, and on PenBid.

**MOTION:** Supervisor Zgura made a motion to advertise for bidding on the Quarry Road Bridge replacement. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

4.) Draft Budget Discussion

Supervisor Zgura questioned the Loader replacement. The Loader is a 2006 and is valued at \$40,000 - \$60,000 and the cost could be offset with the sale of the current loader. Staff however, didn't feel it was prudent to balance the budget with the sale of the loader given that there is uncertainty on the delivery time for a new loader and the sale might very well be in the following year.

James Krippe noted that he felt the Pole Building recommended for the municipal office property was a waste of taxpayer money. He felt the Rangers would not be used long by the staff and felt that the time of running them to and from the garage was less then the time spent at the coffee machine.

Frank Kuklis asked about a tax increase. It was noted that there is no tax increase for the 2023 budget. Mr. Kuklis asked about the property tax revenue inclusion for the new properties. Treasurer O'Donald answered that the Real Estate tax has a \$20,000 increase and the EIT has an approximate \$8,000 increase and the Transfer tax was taken back to the level prior to The Fields at Indian Creek being sold.

**Phil Casey** asked about the estimated taxes for the Estates at Maple Ridge. Treasurer O'Donald explained that she did not feel it appropriate to include a revenue until it is realized, where those homes are built and occupied.

It was discussed that here is no decision tonight. If any Board member has questions to please contact the office prior to next meeting. The Tentative Budget will be presented for adoption for advertisement at the first meeting in November, the final budget will be set for adoption at the first meeting in December.

**DEP MODULES / SEWAGE PLANNING:** - None

**PLANNING COMMISSION – OLD BUSINESS:** - None

**PLANNING COMMISSION – NEW BUSINESS:**

- 1.) Romig Boundary Line Adjustment
  - a. Letter from Planning Coordinator Brian Miller

At their meeting October 3rd, 2022, the Planning Commission recommended granting approval for the Tim Romig Boundary line adjustment plan contingent upon addressing all items in the attached Township staff review letter dated September 30th, 2022, and the comments in the attached Zoning review letter from Alan Brokate dated September 27th, 2022. Since that meeting the Applicant's Engineer is addressing the Staff comments and the owner is working with Alan Brokate to address the Zoning comments so there will be no zoning variances necessary. If you agree, a motion to approve the Tim Romig 6225, 6251, 6261 & 6267 Woodlawn Dr. Boundary line Adjustment & Lot Consolidation contingent on addressing all items as noted in the attached letters could be made.

**MOTION:** Supervisor Zgura made a motion to approve the Boundary line adjustment for Timothy Romig per Brian Miller's Letter dated October 19<sup>th</sup>, 2022. 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: 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 – Turnpike bridge should be open by Mid-December. The contractor has run into delays. The Allen St Traffic Light is moving along and will have the base coat of repaving done for the winter with the light on and the final touches will be done in the Spring.

Supervisors:

John D. Zgura – No Report

Joyce K. Moore – No Report

Daniel J. Mohr – Vera Cruz Halloween Parade is complete. There were not as many participants even though the Association doubled the prize money. They did have tow bands, the Vera Cruz Fire Company, and a few floats. They are looking for more volunteers for next year.

**EXECUTIVE SESSION:** - Not needed

**ADJOURNMENT:**

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Chairman Daniel J. Mohr

November 3<sup>rd</sup>, 2022  
Date

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Secretary O'Donald



**UMT-GENERAL FUND**  
**BOS Meeting AP Disbursements Report**  
**November 3, 2022**

Date	Num	Name	Paid Amount
<b>100.01 · PLGIT - General Fund Ckg</b>			
11/03/2022	21662	W. B. Homes, Inc.:South Shore Aquisitions, LP	-275.72
11/03/2022	21663	4399 Lenni Circle	-50.00
11/03/2022	21664	Alyssa Tiziana	-125.00
11/03/2022	21665	American United Life Insurance Comp	-424.58
11/03/2022	21666	AMERICAN UNITED LIFE INSURANCE COMPANY	-249.82
11/03/2022	21667	Analytical Laboratories, Inc.	-95.00
11/03/2022	21668	AutoZone, Inc.	-194.85
11/03/2022	21669	Bailey, Jared - AP	-40.00
11/03/2022	21670	Batteries + Bulbs	-325.17
11/03/2022	21671	BECHTELSVILLE ASPHALT	-454.84
11/03/2022	21672	Bergey's Tire & Service Center	-1,162.42
11/03/2022	21673	Best Line Equipment	-339.95
11/03/2022	21674	Carter, Edward	-40.00
11/03/2022	21675	CHRIN HAULING, INC.	-247.47
11/03/2022	21676	Crystal Springs	-62.24
11/03/2022	21677	Deer Country Farm & Lawn, Inc.	-17.13
11/03/2022	21678	Fegley, Karl D - AP	-40.00
11/03/2022	21679	HOME DEPOT CREDIT SERVICES	-758.68
11/03/2022	21680	Kuhns, Cynthia - AP	-40.00
11/03/2022	21681	Lagler, Todd - AP	-40.00
11/03/2022	21682	Linde Gas & Equipment Inc	-17.43
11/03/2022	21683	LOWE & MOYER GARAGE INC.	-64.23
11/03/2022	21684	Marks, Lee -ap	-40.00
11/03/2022	21685	MASTER SUPPLY LINE	-58.66
11/03/2022	21686	MICHELLE HINKLE	-697.50
11/03/2022	21687	O'Donald, Jessi L - AP	-40.00
11/03/2022	21688	Ott Consulting Inc.	-17,942.89
11/03/2022	21689	PASSMORE SERVICE CENTER	-708.95
11/03/2022	21690	Playpower LT Farmington, INc	-90,431.07
11/03/2022	21691	PPL ELECTRIC UTILITIES	-520.61
11/03/2022	21692	Responsible Recycling Services LLC	-49.35
11/03/2022	21693	RETTEW	-7,101.75
11/03/2022	21694	Ron Detwiler Automotive	-60.00
11/03/2022	21695	Schmeltze, Robert C. Jr. - AP	-40.00
11/03/2022	21696	Suburban Propane	-6,936.64
11/03/2022	21697	Sunoco Universal	-1,198.77
11/03/2022	21698	TOSHIBA FINANCIAL SERVICES	-271.64
11/03/2022	21699	TRACTOR SUPPLY CO.	-18.95
11/03/2022	21700	unifirst	-165.65
11/03/2022	21701	Verizon Wireless	-328.46
11/03/2022	21702	Walbert, Kyle - Ap	-40.00
11/03/2022	21703	WB Mason	-452.52
11/03/2022	21704	Wehrung's Macungie LLC	-171.93
11/03/2022	21705	WORTH, MAGEE & FISHER	-2,408.22
Total 100.01 · PLGIT - General Fund Ckg			-134,748.09
<b>TOTAL</b>			<b>-134,748.09</b>