

UPPER MILFORD TOWNSHIP  
BOARD OF SUPERVISORS  
OLD ZIONSVILLE, PA 7:00 P.M.  
**REORGANIZATION MEETING MINUTES**  
JANUARY 3rd, 2023

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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

Manager Carter called the meeting to order to 7:00 pm.

Pledge of allegiance to the flag.

**ANNOUNCEMENTS:** This meeting is being broadcast via ZOOM and recorded to aid in the preparation of minutes and for such other purposes as the Board sees fit.

This meeting was advertised in The East Penn Press on December 21<sup>st</sup>, 2022.

The purpose of this meeting is to elect a temporary chairman and proceed with the normal procedures required of a reorganization meeting.

**PUBLIC INPUT:** None

**NOMINATION AND ELECTION OF TEMPORARY CHAIRPERSON:** (Board Action Required)

**MOTION:** Supervisor Moore Nominated Supervisor Mohr as Temporary Chair. Supervisor Zgura seconded the motion. Any questions or comments, all were in favor, motion carried.

**TEMPORARY CHAIRPERSON'S AGENDA:**

1. Nomination of Chairperson of the Board of Supervisors for 2023:

**MOTION:** Supervisor Zgura nominated Supervisor Moore as Chair. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

2. Nomination of Vice-Chairperson of the Board of Supervisors for 2023:

**MOTION:** Supervisor Moore nominated Supervisor Zgura as Vice Chair. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried.

**(2023 CHAIRMAN IS SEATED)**

**RE-ORGANIZATIONAL MEETING ACTIONS:**

**DESIGNATION OF BOARD OF SUPERVISORS REPRESENTATIVE:** To attend Lehigh County Authority Business meetings and serve as alternate to Township Manager on voting matters. (Current Designee is Supervisor Moore)

**MOTION:** Supervisor Mohr nominated Supervisor Moore to the appointment of Board representative to Lehigh County Authority Business meetings to serve as alternate to the Manager for voting purposes for 2023. Supervisor Zgura seconded the motion. Any questions or comments, all were in favor, motion carried.

**DESIGNATION OF BOARD OF SUPERVISORS REPRESENTATIVE:** To the Agricultural Security Board. (Current Designee was Supervisor Moore)

**MOTION:** Supervisor Mohr nominated Supervisor Moore as the board designee to the Agricultural Security Board for 2023. Supervisor Zgura seconded the motion. Any questions or comments, all were in favor, motion carried.

**BOARDS, COMMITTEES, REPRESENTATIVES:**

The Board of Supervisors state that as each term expires for members of all bodies, the Board of Supervisors at that time will act as necessary for the reappointment or new appointment of members as required.

1. Zoning Hearing Board
  - a. Reappoint Bennett Kohler (Member) to the Zoning Hearing Board term to expire January 3<sup>rd</sup>, 2028
  - b. Reappoint Aurora Pattishall (alternate) to the Zoning Hearing Board term to expire January 3<sup>rd</sup>, 2028
2. Vacancy Board
  - a. Reappoint Mr. John Hayes to the vacancy board for the prescribed annual term.
3. Emergency Services Committee
  - a. Reappoint Thomas Carl to the Emergency Services Committee, term expire on January 5<sup>th</sup>, 2026.
4. Planning Commission
  - a. Reappoint Anthony Koneski Jr (Member) to the Planning Commission, term to expire January 4<sup>th</sup>, 2027
  - b. Reappoint Philp Hartranft (member) to the Planning Commission, term to expire January 5, 2026
5. Joint Environmental Advisory Council
  - a. Reappoint Lisa Haus to the Joint EAC with a term to expire January 5<sup>th</sup>, 2026
  - b. Reappoint Kyle Wagner to the Joint EAC with a term to expire January 5<sup>th</sup>, 2026

**MOTION:** Supervisor Mohr made a motion to reappoint/appoint as written the committee, Board and Council members as listed in the agenda. Supervisor Zgura seconded the motion. Any questions or comments, all were in favor, motion carried.

**CORRESPONDENCE:** None

**EXECUTIVE SESSION:** Not Needed.

**RESOLUTIONS:**

1. Re-appointment and setting of wages of Township Officials for 2023 (Resolution No. 2023-001).
2. Re-appointment of Township Solicitor (Resolution No. 2023-002).
3. Hourly Employee Wage Schedule (Resolution No. 2023-003).

4. Re-appointment of Zoning Hearing Board Solicitor, Alternate Zoning Hearing Board Solicitor and Court Reporter (Resolution No. 2023-004).
5. Re-appointments, Appointments and Acknowledgements to Boards, Committees and Representatives (Resolution No. 2023-005).
6. Re-appointment of Township Engineer (Resolution No. 2023-006).
7. Re-appointment of Address Assignment Consultant (Resolution No. 2023-007).
8. Re-appointment of Township Accounting Service Consultant (Resolution No. 2023-008).
9. Re-Appointing a third party electrical and construction code agency (Resolution No. 2023-009).
10. Setting Bonding for Treasurer, Township Manager and Assistant Manager (Resolution No. 2023-010).
11. PLGIT Authorized Signers (Resolution No. 2023-011).
12. Setting the Fee Schedules – Administrative and Zoning (Resolution No. 2023-012).
13. Setting Fee Schedule – Building Permits (Resolution No. 2023-013).
14. Setting subdivision and land development application and escrow fees (Resolution No. 2023-014).
15. New Tripoli Bank Authorized Signers (Resolution No. 2023-015).
16. Destruction of Township Records Authorization (Resolution No. 2023-016)
17. Re-appointment of Alternate SEO (Resolution No. 2023-017)
18. Appointment of Alternate Zoning Officer (Resolution No. 2023-018)

**MOTION TO APPROVE RESOLUTIONS:** Supervisor Zgura made a motion to approve Resolutions 2023-001 through 2023-018 as read in the agenda. Supervisor Mohr seconded the motion. Any questions or comments, all were in favor, motion carried

**SETTING BOARD OF SUPERVISORS – MEETING SCHEDULE 2022:**

The Board of Supervisors hereby establish the first and the third Thursday of each month from February through December as the stated meetings, the Workshop meetings will be scheduled and advertised as needed. Regular meetings will begin at 7:00 pm, except as such times may conflict with holidays or other business, in which case a suitable alternate date will be fixed, and proper notice will be given. The next scheduled Board of Supervisors Meeting is on Thursday, January 19<sup>th</sup>, 2023, at 7:00 pm. A special meeting may be held when the business load is excessive for a particular meeting as determined by the Board of Supervisors.

**MOTION TO APPROVE MEETING SCHEDULE:** Supervisor Mohr made a motion to approve the Board of Supervisors Meeting schedule for 2023 as listed in the agenda. Supervisor Zgura seconded the motion. Any questions or comments, all were in favor, motion carried.

**PSATS CONVENTION**

The Board of Supervisors must approve, if so desired, the attendance of all Supervisors, Township Secretary, Township Treasurer; Township Manager, Assistant Manager, Employee Personnel and Township Solicitor to the PSATS Convention, under the same procedure, with expenses reimbursed as specified by the Pennsylvania State Association of Township Supervisors and Act of the Legislature.

**Motion to approve attendance to the PSATS Convention and designate a voting delegate:** Supervisor Mohr made a motion that Township Supervisors, Staff and Solicitor are approved to attend the annual PSATS Convention held April 23-26, 2023, and Daniel J. Mohr is designated as the official voting delegate to the PSATS Convention. Supervisor Zgura seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

**APPROVAL AND ACCEPTANCE OF REORGANIZATION MEETING ACTIONS:**

**Motion for the approval and acceptance of the Reorganization Meeting:** all of the foregoing has been accepted and approved as presented. All open bills for 2022 are approved for payment.

**MOTION:** Supervisor Mohr made a motion that all the foregoing has been accepted and approved as presented and pay all open bills for 2022. Supervisor Zgura seconded the motion. Any questions or comments, all were in favor, motion carried.

**REGULAR MEETING BUSINESS:**

**ANNOUNCEMENT:** The Elected Auditor's Meeting will be held on Wednesday, January 4th, 2023, at 3:00 p.m.

**PUBLIC INPUT:** None

**ACCEPTANCE OF MINUTES:** Acceptance of the December 15th, 2022; Regular meeting minutes.

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

**APPROVAL OF PAYMENT OF 2022 BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 – Check No's 21787 to 21817 in the amount of \$56,664.86

No Transfers

**APPROVAL OF PAYMENT OF 2023 BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 – Check No's 21818 to 21820 in the amount of \$3,945.46

No Bank Transfers

**MOTION:** Supervisor Mohr made a motion to pay the bills for 2022 and 2023 as read. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried

**OLD BUSINESS:** None

**NEW BUSINESS:**

1.) Approval of Letter of engagement for 2022 Audit

Treasurer O'Donald stated that this is the same engagement letter as last year with the same company. Supervisor Moore asked if the fee was the same. It was noted that the fee went up from \$12,200 to \$13,100.

**MOTION:** Supervisor Zgura made a motion to approve the letter of engagement for the 2022-fiscal year Audit with Campbell, Rappold & Yurasits. Supervisor Mohr seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

2.) DCNR Grant process approval for upgrades at Lenape Park  
a. Memo from Kyle Walbert

Office staff is requesting permission from the Board of Supervisors to begin the process of applying for the DCNR C2P2 (Community Conservation Partnership Program) Grant. This grant is for Park Rehabilitation and Development, and with the funds from the grant we are proposing upgrades for Lenape Park. The process for writing for the grant is quite involved but will be a great upgrade for Lenape Park should we be able to obtain the grant. The grant is a 50/50 matching grant. Please see conceptual site plan for the ideas we have for the Park.

There was a brief conversation about the ability to create the path as ADA compliant and the trees that will be taken down and replaced.

**MOTION:** Supervisor Zgura made a motion for staff to continue the grant application process for Lenape park. Supervisor Mohr seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

3.) Indian Creek Road Traffic Study and permission to advertise Ordinance No. 169  
a. memo from Planning Coordinator Brian Miller

Over the last several years we have received numerous complaints of speeding on Indian Creek Road between Furnace Hill Road and Chestnut Street. After reviewing the Township Ordinances, we found no record of an official speed limit being adopted for Indian Creek Road. Both Manager Carter & I drove the length of the road several times at what we felt was a reasonable speed and averaged between 30 & 35 MPH as a safe running speed. I then set the Radar recorder up to collect the data from the everyday vehicles traveling Indian Creek Road during the beginning of December. The data collected (see the attached speed percentile study sheet) shows a 85th percentile speed for both directions between 33.9 & 34.9 MPH. Both the safe running speed method & the 85-percentile speed from a traffic recording device are acceptable methods of setting a speed limit. For that reason, Manager Carter and I would recommend adoption of an Ordinance to post Indian Creek Road with a 35 MPH Speed Limit.

There was a brief discussion. The traffic information that the counter saves is enough to credibly post a speed limit for the road.

**MOTION:** Supervisor Mohr made a motion to adopt Ordinance No. 169 posting the speed limit on Indian Creek Rd. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

#### 4.) Discussion of Loader Purchase

Manager Carter presented a spread sheet on the comparison of the Case, John Deere and Caterpillar wheel loaders. Case will only hold the price on the loader for 10 months. They do not expect the loader delivery until August and that isn't guaranteed. John Deere is a bit more expensive, and if ordered will be delivered in May and has a longer warranty. The cost of a rental loader is \$5,200.00 per month in today's market. The wheel loader life span is about 15 to 20 years. The cost of renting a loader for the 4 winters months would be approximately \$312,000 over the next 15 years not including rental increases, where the cost to purchase the loader this year is \$220,000.00.

**MOTION:** Supervisor Mohr made a motion to authorize the purchase of the John Deere 544P Wheel Loader for the cost of \$220,900.00. Supervisor Moore seconded the motion. Hearing no further questions or comments, all were in favor, motion passed.

#### 5.) Ordinance No. 170 authorization to advertise

- a. ~~Memo from Planning Coordinator Brian Miller~~ no memo

Solicitor Fisher explained that this ordinance was taken in part from the Right to Farm Act and the PA state regulation. Brian Miller has done a good job of going through all the items while Solicitor Fisher edited the Ordinance. It is before the Board for Authorization to advertise.

**MOTION:** Supervisor Zgura made a motion to direct staff to advertise Ordinance No. 170. Supervisor Moore seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

**SOLICITOR'S REPORT:** No Report

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

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

**PLANNING COMMISSION NEW BUSINESS:** - None

**SUBDIVISIONS – IMPROVMENTS:**

- 1.) Credit Release No. 1 – Fields at Indian Creek – Annex in the amount of **\$87,134.51**
  - a. Letter from Township Engineer Jeffery Ott
- 2.) Credit Release No. 8 – Kohler Tract/Jasper Ridge in the amount of **\$107,667.44**
  - a. letter from Township Engineer Jeffery Ott
- 3.) Credit Release No. 4 – Maple Ridge in the amount of **\$354,152.87**
  - a. Letter from township Engineer Jeffery Ott

**MOTION:** Supervisor Mohr made a motion to approve the security releases as outlined above per letters from Township Engineer Jeffery Ott. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**CORRESPONDENCE:** None

**OTHER ISSUES:** None

**REPORTS:**

Emmaus Library: No Report

Fire Companies: No Report

Recreation Commission: None

Township Manager:  
Bud Carter – No Report

Supervisors:

Daniel Mohr – Happy New Year!  
Joyce Moore – Happy New Year! She also wanted to point out that the events of the prior nights football game show the important of CPR and an AED in emergency situations. She also wanted to point out that there is one in the hallway if it is ever needed.  
John Zgura – Happy New Year!

**EXECUTIVE SESSION:** Not Needed

**ADJOURNMENT:** Meeting adjourned at 7:38 pm.

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Chairperson Joyce K. Moore

01/19/2023  
Date

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Secretary Jessi O'Donald