

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
February 2nd, 2023, 7pm
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors, Joyce K. Moore, John D. Zgura, Daniel J. Mohr; Manager Edward Carter, Planning Coordinator Brian Miller, Secretary/Treasurer Jessi O'Donald

Pledge of Allegiance to the flag.

Meeting was called to order at 7:00 pm.

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:

Phillps Armstrong: County Executive Phillips Armstrong was in attendance. He tries to get to each municipality once a year to see if there is anything the county can help with and answer questions. He introduced the new Lehigh County Community Liaison, Yorman De La Rosa. Yorman is the contact if anyone needs something. Phillips discussed Farmland preservation, the Iron Pigs Stadium concerns and the 2023 budget, as well as the County Radio system in brief. He hopes to have an announcement on the radio system soon. Equipment availability issues have been a concern.

ACCEPTANCE OF MINUTES:

Approval of January 19th, 2023, 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 BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **21872 to 21920** in the amount of **\$128,684.21**

FIRE HYDRANT FUND:

PLGIT XXXX7154 - Check No's. **1012** in the amount of **\$2,385.96**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

No Transfers

MOTION: Supervisor Mohr 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:

- 1.) Ordinance No. 170 – Approval

Solicitor Fisher opened the Public Hearing at 7:13 pm. He explained that Ordinance No. 170 has been advertised and is before the Board of Supervisors for Adoption. This Ordinance was worked on in conjunction with the Planning Commission and Brian Miller to navigate the Townships Ordinance to better incorporate the State's Right to Farm Act. The Lehigh Valley Planning Commission commended the Township's work on this Ordinance. Hearing no public input, the public hearing was closed at 7:15 pm.

MOTION: Supervisor Zgura made a motion to adopt Ordinance No. 170. Supervisor Mohr seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

OLD BUSINESS: None

NEW BUSINESS:

- 1.) State Rd – Indian Creek – Culvert Replacement
 - a. PennDOT letter

Manager Carter summarized the letter from PennDOT. PennDOT will be replacing the culvert on Indian Creek Rd where the flooding occurs with a 4' by 24' box. This will not prevent all the flooding, but PennDOT couldn't put in anything else since other options limited the access to the residence driveway. It was also noted that they would not be able to eliminate all the flooding as that would put the water into the Little Lehigh Faster and create flooding issues faster downstream. The link in the letter will be posted to our website. The link will go live for review and comment on February 16th until March 16th. Colt Hershinger asked if this would be done at the same time as the Lower Macungie Road bridge over the turnpike. Manager Carter said no as that would create an access concern for the area.

- 2.) Approval to advertise for Part-Time/Seasonal Parks help.
 - a. Memo from manager carter

Manager Carter is asking for approval to advertise for two additional park employees for the 2023 season with an hourly rate of up to \$15.00 per hour.

MOTION: Supervisor Zgura made a motion approve the advertising for two seasonal park employees for the 2023 with wage up to \$15.00 per hour per Bad Carter's memo dated February 1, 2023. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 3.) Approval to advertise for Road work and line Painting bids.
 - a. Memo from manager Carter

Manager Carter is requesting approval to advertise for the 2023 seal coat both double and single bids and the 2023–2024-line painting bids.

MOTION: Supervisor Mohr made a motion to approve the advertisement of the 2023-2024 road work and line painting bids per manager Carters memo dated February 1, 2023. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 4.) Approval for Appraisal for Nonnenmacher for possible preservation.
 - a. memo from Planning Coordinator Brian Miller

The property owner at 4246 Main Rd. W. Emmaus applied for agricultural preservation with Lehigh County last year. The property is a 21.75-acre parcel, it is adjacent to the Wachter property that was

preserved in 2021. The property ranked 28th out of 48 farms last year and just missed being accepted for preservation. The application for preservation was re enrolled for this year's ranking, but the County has had several emergency and other odd applications along with a very large farm application north of Upper Milford, it appears that the funding that the County is working with will again not be enough to include this farm for preservation. We have the option to work with the County on this property on what they call an "out of order preservation". The Township would be responsible for the cost of the appraisal (\$1,700.00) The County would handle all the paperwork and pay up to 1/3rd of the preservation costs as long as it does not exceed \$2,000 per acre. The Township would be responsible for 2/3rds. of the easement cost up to \$4,000 per acre. If the appraisal value is over \$6,000 it would be up to the Township to determine if they will pay over the \$4,000 per acre amount. Since this property has both an agricultural & environmental preservation value in the Township, I would recommend the Township initiates the out of order preservation option with Lehigh County, to do so I would need approval from the Board for the Township to pay the cost of the appraisal. No other obligations or preservation decisions for this property would be made at this time.

There was a brief discussion on Farmland preservation and the buildability of this parcel.

MOTION: Supervisor Zgura made a motion to approve the appraisal for the parcel listed in Brian Miller's memo dated February 1st, 2023. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

5.) Appointment of Ellen Larmer to the Planning Commission as Alternate with term to Expire January 6th, 2025.

a. memo from Planning Coordinator Brian Miller

The Township received an Application of Interest for Appointment to the Planning Commission from Ellen Larmer (see attached). we currently have an Alternate Planning Commission member position available that was previously filled by Susan Smith. I believe Ellen has the background & knowledge that would add to the diversity of our Planning Commission and would ask that the Board appoint Ellen Larmer as an Alternate Planning Commission member to fill the open position with a term set to expire January 6th, 2025.

MOTION: Supervisor Mohr made a motion to appoint Ellen Larmer to the Planning Commission per Brian Miller's memo dated February 1st, 2023, with a term to expire January 6th, 2025. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

6.) Resolution 2023-019 – DCNR Grant Application Resolution

This resolution is from DCNR for the grant application process for Lenape Park.

MOTION: Supervisor Zgura made a motion to approve Resolution No. 2023-019 for the DCRN grant application for Lenape Park. 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: None

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 – The Bridge over the Turnpike on Indian Creek Road will begin construction in March. They will build most of the bridge before they begin one lane closures of Indian Creek Road. The project will take two years.

Supervisors:

John D. Zgura – No Report

Joyce K. Moore – No Report

Daniel J. Mohr – No Report

EXECUTIVE SESSION: - Not needed.

ADJOURNMENT: Meeting was adjourned at 7:27 pm.

Chairperson Joyce K. Moore

February 16th, 2023
Date

Secretary Jessi O'Donald