

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
June 1<sup>st</sup>, 2023, 7pm  
REGULAR MEETING MINUTES

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

Meeting called to order at 7:00 pm.

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.

Moment of silence for Michael Ruyak Jr. He was a very active part of our community. "Mike was the AARP Local Coordinator for income tax since 2005 and the treasurer for the Macungie Ambulance Corps from 1984 - 2012. Mike also served his community since 1974 with the Upper Milford Western District Fire Company in Zionsville, PA. He was a firefighter, was their current treasurer for many years, and was the Captain of the UMWD Fire Police since 1994."

**PUBLIC INPUT:** None

**ACCEPTANCE OF MINUTES:**

Approval of May 18<sup>th</sup>, 2023, regular meeting minutes.

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

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's. **22191 to 22221** in the amount of **\$54,303.70**

**STREET LIGHT FUND:**

PLGIT XXXX7125 - Check No's. **1391** in the amount of **\$57.21**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer No's. 2023-018 to 2023-024

**MOTION:** Supervisor Mohr made a motion to pay the bills as listed above and acknowledge the bank transfers. Supervisor Zgura seconded the motion. Hearing no additional questions or comments, all were in favor, motion carried.

**SOLICITOR'S REPORT:** No Report

## **OLD BUSINESS:**

### 1.) Macungie Tap Line Construction

Manager Carter explained that this was the same information that PPL had sent out to residents for notification of the tap line upgrades. Last year prep work was done for it by trimming along the area. This work will be performed from July 2023 through August 2025 from Hosensack to Macungie.

### 2.) Discussion of Grass Cutting for Hival Und Dahl.

There was a conversation on cutting the grass at the cabin for Hival Und Dahl. The area to cut is about 1/3 of an acre, which would take less than an hour and cost less than \$100.00 per cut for the Township to cut it. The concern from Solicitor Fisher is that it is private property. He would strongly advise against cutting the grass with Township employees but if that is the direction that Board wanted to take then he would advise on having an agreement between Hival Und Dahl and the Township. The agreement should include a cease option for the Township and a hold harmless portion. Supervisor Zgura asked for this item to be placed on the next agenda and not decided this evening. He felt everyone needed to think about it a bit.

## **NEW BUSINESS:**

### 1.) WB Homes Detour Plan

Christopher Canavan and Steve Schaffer were present to discuss the detour route planned for the water line installation along the development road frontage for Estates at Maple Ridge. The detour will be from 9am to 3 pm workdays and the road will be reopened during off hours to allow traffic to go through. There will also be flaggers at main Rd and Vera Cruz Rd along with Chestnut and Shimerville to make sure the truck traffic doesn't go through the construction area as the road is very narrow there. There was a brief discussion. Phil Casey asked if the line was just water or if they were installing sewer along the front as well. Chris answered that it was just water. The sewer for the development is a low flow pumped system back over the hill at Linda Lane. Emergency vehicles will be allowed to pass if needed. They have also timed this so school is out to not affect the buses.

**MOTION:** Supervisor Moore made a motion to approve the detour and thanked the gentlemen present for their time. Supervisor Mohr seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

### 2.) Request to close the Township Offices July 3<sup>rd</sup>, 2023. a. Memo from Secretary O'Donald

We respectfully ask permission to close the Township Offices on Monday, July 3<sup>rd</sup>, 2023. The recognized Holiday is Tuesday, July 4<sup>th</sup> with Offices closed that day. Closing Monday will allow staff to use PTO Monday if they choose to give themselves a long weekend or give themselves a day without interruptions to get ahead for the rest of the week.

**MOTION:** Supervisor Moore made a motion to approve closing the Township Offices on Monday July 3<sup>rd</sup> to allow employees to use PTO if they so choose. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

3.) Ordinance No. 171 – permission to advertise.

Letter from Planning Coordinator Brian Miller - At their meeting on 5/30/23 the Planning Commission reviewed and recommended that the Board of Supervisors begin the adoption process for the attached draft Ordinance # 171, The Animal Waste Ordinance. An Animal Waste Ordinance is required as part of the Townships MS4 requirements, and the attached copy appears to meet the requirements. If you agree, a motion to begin the Ordinance adoption process is requested, and the Township Solicitor & Township Staff will begin the process.

There was a discussion. Supervisor Mohr stated he was concerned with the definitions of the type of animal waste the ordinance was targeting. Phil Casey asked about children urinating outside. Colt Hershinger asked what would happen if the Township didn't follow through with adopting the ordinance as he feels the Township needs to stand up to the State on this requirement. Manager Carter explained that the Township would risk being levied with a fine if the NPDES permit period was not in compliance with the requirements. Brian Miller stated he understood where everyone was coming from, but the requirement is there, and this Ordinance meets the minimum requirements for the NPDES permit period that ends 2024.

It was determined that everyone should reach out to Brian Miller with their thoughts in order to rework the Ordinance if needed for the next meeting.

**DEP MODULES / SEWAGE PLANNING:** - None  
**PLANNING COMMISSION – OLD BUSINESS:** - None  
**PLANNING COMMISSION – NEW BUSINESS:**

- 1.) Approval for 180-day time extensions until 12/31/2023 for the following:
  - Indian Creek Industrial Park Subdivision
  - Jerome Goldstein Minor Subdivision
  - 4054 Chestnut St. MPI Diagnostics
  - Indian Creek Industrial Park Lot 10
  - 6334 Chestnut St.

**MOTION:** Supervisor Mohr made a motion to grant the time extensions as requested above to expire December 31<sup>st</sup>, 2023. Supervisor Moore seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

Supervisor Zgura asked Solicitor Fisher if it's possible to not grant the extensions? Solicitor Fisher explained that changing the time frame would be a choice but that means the developer would have to keep asking for an extension if the work wasn't complete in time, additionally the time asked for may be more than required to finish depending on the development but the time allows for the engineers inspections and to get details finished.

- 2.) Approval for 90-day time extensions until 09/28/2023
  - Engelman/Kay Subdivision, Fields at Emmaus
  - Engelman Associates 4650 & 4702 Indian Creek Rd.

**MOTION:** Supervisor Zgura made a motion to grant the time extension as listed above for 90 days to expire September 28<sup>th</sup>, 2023. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**SUBDIVISIONS – IMPROVEMENTS:**

- 1.) Approval 365-day Time Extension Fields at Indian Creek until July 21, 2024
  - a. Letter from Rick Koze of Kay Builders

Kay Builders is requesting a 365-day time extension to allow ample time to complete the improvements at the Fields at Indian Creek, Phase 1.

**MOTION:** Supervisor Mohr made a motion to approve the requested 365-day time extension for Fields at Indian Creek Phase 1 until July 24, 2024. 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 mentioned the Strategic Planning Committee public outreach again. June 13<sup>th</sup> from 6:30 to 8 pm is a public meeting at the library or you may email the director your thoughts.

Recreation Commission: No Report

Township Manager:

Bud Carter – Oil & Chip for 2023 is complete.

Supervisors:

John D. Zgura – No Report

Daniel J. Mohr – No Report

Joyce K. Moore – No Report

**EXECUTIVE SESSION:** - Not needed.

**ADJOURNMENT:** Meeting was adjourned at 7:34 pm.

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Chair Joyce K. Moore

06/01/2023  
Date

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Secretary Jessi O'Donald