

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
August 17th, 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.

Join us in a moment of silence for Upper Milford Resident Ira Shade. Ira was a Past Chief of Upper Milford Western Dist. #1 (Old Zionsville) Fire Company and held other positions within the Fire Company, a life member of Macungie Fire Company, was a Wildland Fire Fighter and also a Fire Warden for many years. Our condolences extend to the Shade Family and the Upper Milford Western District Fire Company.

**PUBLIC INPUT:**

1. WESTERN DISTRICT FIRE COMPANY – BUILDING DISCUSSION

Chief Michael Kline and Kevin Kleinsmith from Western District Fire Company were in attendance along with Bill Wall and Curt Santee from Valley Builders to talk further about the fire company building plans. Valley Builders has donated their time and expertise so far to the planning of the additional space at the Fire Company to house the new truck and into the future. According to Bill Wall the price estimate is good for 1 year. After that they figure it will increase 10% each additional year. Manager Carter asked what the timeline to start is. Chief Kline stated they plan to start building in 27-30 months. Curt explained they decided on the additional building behind the existing building and have it face the driveway. The building includes enough room for bunks, meeting/training space and gear storage. The old building will be used for the smaller trucks and the new building will house the larger trucks in the beginning. It will be large enough to park a small ladder truck if in the future that is needed. It will also be large enough to lift the cab on the current trucks to work on them inside instead of outside in the rain. They have been working with contractors in the area that they are comfortable with to give solid estimate of the budget needed for this building. The current cost is projected at \$1.6 million. Supervisor Zgura asked about the need for the existing building. Curt Santee said they looked at tearing down the current building, but the demolition cost was very high. They wouldn't be losing any parking. They would be reducing the impervious and parking closer to the fire station to speed response. Chief Kline stated they just wanted to be open with everyone and wanted to answer the questions from the last meeting. He also feels the size is adequate for future needs. Manager Carter asked if this was going out to bid with other builders. Chief Kline stated that Valley Builders will be the general contractor and bid out for items they can't provide.

Matt Lindley wanted to express his thanks for Matt and Racel Aponte for their efforts with boys' baseball. They are doing a fantastic job. The kids love baseball and other groups are now learning who UMYA is and that they are competitive. The boys have done so well that the older kids will be staying in UMYA and there is a growing program.

**ACCEPTANCE OF MINUTES:**

Approval of August 3<sup>rd</sup>, 2023, regular meeting minutes.

**MOTION:** Supervisor Zgura made a motion to approve 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. **22379 to 22416** in the amount of **\$91,934.76**

**STREET LIGHT FUND:**

PLGIT XXXX7125 - Check No. **1394** in the amount of **\$2,428.36**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

Transfer No's. 2023-034 to 2023-038

**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:** No Report

**OLD BUSINESS:** None

**NEW BUSINESS:**

1.) Park Memorial Program

The Park Memorial Program has been introduced by the Recreation Committee after many months of thought and discussion. This was presented at the August 3<sup>rd</sup> meeting and sent to staff and solicitor for review. It is back before the board this evening for approval. The thought behind this program is to allow people to place trees and benches within the Upper Milford Township Parks in memory of a loved one.

**MOTION:** Supervisor Zgura made a motion to approve the Park Memorial Program as edited by Solicitor Fischer. Supervisor Mohr seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

2.) Acknowledgement of Ag Security Application for 6350 & 6240 Sweetwood Drive

**MOTION:** Supervisor Mohr made a motion to acknowledge receipt of the Agricultural Security Application for 6350 & 6240 Sweetwood Dr. Supervisor Moore seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

3.) Spray Irrigation discussion for The Fields at Twin Run /Engelman Tract

Discussion: Alan Fornwalt from Keystone Consulting Engineers and Robb Werley, of Robb Werley and Associates LLC were present to discuss the spray irrigation system and answer any questions about the stormwater spray irrigation area within the proposed Fields at Twin Run on Indian Creek Road. Alan explained that DEP and Act 167 are in favor of these irrigation systems as it allows most rain events to be percolated back into the ground water on the site. Robb Werley explained how the system works. The area was tested at more than ½” infiltration per hour, the system is designed to wait 24 hours after a rain event and if basin has water in it to spray it will spray up to a ¼” of water every 50-minutes with a 10-minute break for up to 12 cycles per evening. If the basin is filled to spray capacity it will spray for 6 nights with this cycle of 50-minutes on and 10-minutes off until the basin is below the capacity to spray. Supervisor Moore asked if there is spray irrigation in use on other recreation spaces in the area. Supervisor Zgura expressed concern about the concentration of the runoff sprayed in an area that will be noted as a recreation space. Supervisor Mohr stated there isn't a good way to filter the contaminants before they are sprayed. Alan listed off areas that already use stormwater spray irrigation. He said it was recently installed off Grange Road in the park playing fields. Secretary O'Donald expressed those kids playing an organized game on stormwater sprayed fields is different then telling neighborhood kids that the 2 plus grass acres that is sprayed with all the runoff from yards and the streets is ok to play on every day and wondered how long it will take before the HOA tells the kids to stay off the grass in a rainy period. The houses around the playing fields off Grange Road have yards and there is a playground from them to be in contact with grass that isn't sprayed all the time. Robb did answer that the sprinkler system can handle vehicles driving over it, so it should be able to handle kids on bikes and soccer balls. Supervisor Moore thanked them for their time and explanations. Phil Casey suggested they come up with a different plan for the recreation space.

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

**PLANNING COMMISSION – OLD BUSINESS:** None

**PLANNING COMMISSION – NEW BUSINESS:** None

**SUBDIVISIONS – IMPROVEMENTS:**

- 1.) Release No. 2 - Irrevocable Letter of Credit No. 13700021891 Fields at Indian Creek-  
Allen Street Signal Project
  - a. Letter from Township Engineer Jeffery Ott

In accordance with the request for release of secured funds dated August 2, 2023, we the undersigned hereby certify that the improvements required in connection with the Allen Street Signal Project of the Fields at Indian Creek, have been completed to the extent that the \$50,000.00 Contingency portion of the Irrevocable Letter of Credit can be reduced by the amount of Fifteen Thousand, Six Hundred Twenty-Five Dollars and Twenty-Seven Cents (\$15,625.27), 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 Fifteen Thousand, Six

Hundred Twenty-Five Dollars and Twenty-Seven Cents (\$15,625.27) 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. At this time, the additional \$50,000.00 Contingency Amount associated with the Fields at Indian Creek Major Subdivision - Allen Street Signal Project, has been extinguished with the release of the remaining \$15,625.27 portion of the funds to the Owner.

- 2.) Release No. 2 - Irrevocable Letter of Credit No. 13700021752 Fields at Indian Creek – Allen Street Signal Project
  - a. Letter from Township Engineer Jeffery Ott

In accordance with the request for release of secured funds dated August 2, 2023, we the undersigned hereby certify that the improvements required in connection with the Allen Street Signal Project of the Fields at Indian Creek, have been completed to the extent that the Irrevocable Letter of Credit can be reduced by the amount of Fifty-Seven Thousand, Eight Hundred Forty Dollars and Nineteen Cents (\$57,840.19), 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 Fifty-Seven Thousand, Eight Hundred Forty Dollars and Nineteen Cents (\$57,840.19) 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 - Allen Street Signal Project, be reduced to any amount less than Twenty-Four Thousand, One Hundred Forty-One Dollars and Fifty-Eight Cents (\$24,141.58).

**MOTION:** Supervisor Moore made a motion to approve credit release number 2 for Irrevocable Letter of Credit No. 13700021891 Fields at Indian Creek in the amount of \$15,625.27 and credit release number 2 for Irrevocable Letter of Credit No. 13700021752 Fields at Indian Creek- Allen Street Signal Project in the amount of \$57,840.19. Supervisor Mohr seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 3.) Approval for the Allen Street Traffic Light project to enter the 18-month maintenance period
  - a. Memo from manager Carter

With Kay Builders completing all the required work for the installation of the traffic light and related road work to Allen Street. Kay builders has asked to start the 18-month maintenance period for the improvements. If the board agrees, a motion to allow Kay Builders to enter the 18-month maintenance phase would be in order.

**MOTION:** Supervisor Moore made a motion to allow Kay Builders to enter the 18-month maintenance period for the Allen Street Signal Project. Supervisor Zgura seconded the motion. Hearing no further questions or comments, all were in favor, motion carried.

**CORRESPONDENCE:** None

**OTHER ISSUES:** - None

**REPORTS:**

Emergency Services Committee Report: N/A

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: Report on Website

Fire Companies: Assistant Chief Joe Sherman reported there have been 12 calls since August 1<sup>st</sup>. Citizens will also be having a hoagie sale soon. Kevin Kleinsmith reported that Western District has their Chicken BBQ soon and Sportsman's Drawing. He stated their calls are up for this year.

Emmaus Library: No Report

Recreation Commission: Next meeting is Monday, August 21<sup>st</sup> at 7pm at Arrowhead Park

Township Manager:

Bud Carter – No Report

Supervisors:

John D. Zgura – No Report

Daniel J. Mohr – Homecoming is Sunday from noon to 8pm with the Rehrig Brothers and Large Flowerheads. The Community Association needs volunteers.

Joyce K. Moore – No Report

**EXECUTIVE SESSION:** - Not needed.

**ADJOURNMENT:** Meeting adjourned at 8:12 pm.

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Chairperson Joyce K. Moore

September 7, 2023  
Date

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Secretary/Treasurer Jessi O'Donald