

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
March 21st, 2024, 7pm
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors; Daniel Mohr, John Zgura, Angela Ashbrook; Manager Edward Carter; Planning Coordinator Brian Miller, Solicitor Marc Fisher, 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.

The Upper Milford Board of Supervisors held an executive session beginning at 6:30 pm prior to the start of this meeting to discuss a Real Estate Matter.

PUBLIC INPUT: None

ACCEPTANCE OF MINUTES:

Approval of March 7th, 2024, regular meeting minutes.

MOTION: Supervisor Mohr made a motion to accept the March 7th, 2024, minutes as presented. Supervisor Zgura seconded the motion. Hearing no questions or comments, both were in favor, Supervisor Ashbrook abstained, motion carried.

APPROVAL OF PAYMENT OF BILLS:

GENERAL FUND:

PLGIT XXXX7096 - Check No's. **22912 to 22948** in the amount of **\$94,953.20**

ACKNOWLEDGEMENT OF BANK TRANSFERS:

Transfer No's. 2024-017 to 2024-026

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

SOLICITOR'S REPORT: No Report

OLD BUSINESS:

1.) Fire Company Funding Discussion

Supervisor Zgura Last night was a joint meeting between the ESC and the Board of Supervisors and the Board listened to what was needed. This is a continuation of that conversation. There is a need for a truck now and another in two years and radios for both fire departments. His thoughts are Fire

Tax and other ways to raise money, but he isn't sure what the best way to keep the Fire Companies going is. He keeps looking at this situation and it comes back to, how the township can do this and is it correct to have two Fire Companies. As a government official it's easy to look at raising taxes but he feels all options need to be discussed and operating as one fire company needs to be discussed. If it's decided that there is a need for two then at least it was discussed. He asked for maps to be drawn up to show where the fire companies are and where all the surrounding fire departments are in reference to our departments. It's just something to look at. He called three insurance companies to ask about homeowners' insurance and proximity to a fire company. The insurance reps. didn't have any information about that.

Supervisor Mohr stated he is not in favor of one fire company unless the thought is both fire houses and dual response. He felt with prior information that homeowners' insurance premiums would go up with further distance to a fire house. He doesn't feel like there is any other choice but to raise taxes. Upper Milford does have the lowest tax rate in the area, and we can't provide the same services without a rate increase, as costs have gone up so much. He would put the health, safety, and welfare above all other services from the Township. Since response times were mentioned, he wanted to remind everyone that all dwelling fires are dual response. He stated that just because the School District is charging so much doesn't mean we should cut back on those emergency services due to that.

Supervisor Ashbrook stated that she really feels that the Township should fund the vehicle but not the building. She asked what the back up plan is for the funding. Grants are not guaranteed, low interest loans are still loans, along with the need for \$200,000.00 worth of radio equipment in the next few years. She agrees with John that there should be a single pool of money and force them financially to act as one company regardless of separate rosters. Also, that the Township take charge of paying some of the bills directly in hopes to keep from having to audit the fire companies. She felt this would make it easier to explain to the taxpayer where this money is going, and that the Township should not be paying for the building, at least the vehicles have residual value if the fire company's default.

Joe Terrible has worked with both Fire Companies to develop their long-range plans and figure out the financial concerns going forward. He doesn't see how savings can be made by forcing one fire department. He stated that the trucks the Fire Companies are running are very old. The cost of trucks has increased dramatically in the last few years. The Fire Company's back up plan is to try to secure grants and other funding. They have not been grossly overspending. This Township has lower taxes than any other municipality in Lehigh County.

Phil Casey also asked insurance companies about proximity and those things are figured in and they are minimal. He spoke about the meeting last night and about the radios and the need for additional money. He asked if anyone from the Township solicited like sized municipalities to see what the fire operating expenses are in their communities. He asked about the operating expenses for the Fire Companies in Upper Milford Township. He spoke about the Emmaus Fire Tax and talked about a possible fee for residents that need to call the fire department. He would like to see a full disclosure for the Fire Companies of their finances. He also discussed the capital Reserve funds and feels the Township should have more control over the requests from the Fire Company.

COLT Hershinger – a year when the school taxes are being raised and raise municipal taxes will hurt.

Joe Terrible stated that a tax increase hurts but when the School Tax is 20 mills, and the municipal tax is less than a half mill then that concern should be taken up with the School District and the municipality stills need to function.

Manager Carter stated that staff can come up with what incremental increases look like to see what direction the Board wants to take along with a list of bills that might be appropriate for the township to pay for the Fire Companies.

Secretary-Treasurer O'Donald asked for clarification on the direction the Board wanted staff to proceed. It was stated that the board wants staff to come up with what a tax increase might look like with the money being directed as they are currently just increased amounts. She also stated that she has received relief audit reports from Western and four audit years from Citizens Fire, but they had to be amended due to some concerns.

Joe Sherman asked everyone to think about the cost of a human life and to look at response time when deciding to go to one station. He has been in both stations for the last 50 years. Joe also stated that everyone should ask the ISO about fire insurance. It was mentioned that it is cheaper for those within 5 miles of a Fire Company.

NEW BUSINESS:

- 1.) Road Bid Awards
 - a. Memo from Kyle Walbert

Township staff prepared and advertised to receive bids at 1:00 PM March 12, 2024. Bids were received and opened by Edward Carter, Township Manager and witnessed by Kyle Walbert, Assistant Zoning Officer. Bids were received for:

1. Bituminous Seal Coat and Street Sweeping, 1 bid
2. Ultra-Thin Bonded Wearing Course, 1 bid

Bid Tabulations are attached. Based on staff review of the bids. I recommend that the Board of Supervisors award the bids and enter contracts with the lowest qualified bidder in each category as follows:

1. Bituminous Seal Coat and Street Sweeping
Award to: Asphalt Maintenance Solutions
P.O. Box 387
Center Valley, PA 18034
For the contract amount of \$333,484.12

2. Ultra-Thin Bonded Wearing Course
Award to: Asphalt Maintenance Solutions
P.O. Box 387
Center Valley, PA 18034
For the Contract Amount of \$119,969.09

The recommended award bidders are PA DOT prequalified and they have provided the completed bid forms.

There was a brief discussion on cost increases and the number of bidders for these contracts.

MOTION: Supervisor Mohr made a motion to award road bids as recommended in Kyle Walbert's memo dated March 19th, 2024, to Asphalt Maintenance Solutions for the amounts listed above.

Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

2.) PSATS 457 Plan Recommendation from Pension Committee
Memo from Secretary/Treasurer O'Donald

At the March 12th Pension Committee Meeting, there was a discussion of the PSATS 457 Plan. This plan was thought to be a good addition for the Township to offer full time employees to invest their own retirement funds in addition to the PMRS Defined Contribution and the PSAB-MRT Defined Benefit Plans. This is a voluntary plan for employees to invest payroll deductions and choose the level of investment from several options through a portal. The fees for the PSATS plan are between \$200/\$250 per year with Deposits through ACH transfers or \$300/\$400 if paid through checks depending on the number of employees enrolled in the plan and if fees can be paid through ACH. There would be no further reporting costs to the Township to administer the plan. The Township would continue both pension plans (DB Plan and DC Plan) through Township Contributions as laid out in the Ordinances that created the pension plans. Employees would then be able to choose to contribute to the PMRS plan and/or the PSATS 457 plan as they wish through payroll contributions. If the Board is in favor of this addition, the prepared agreement and resolutions can be presented April 4th for adoption.

The Board of Supervisors was in favor of adding this voluntary benefit to the offerings for Upper Milford Township employees. The enrollment agreement and Resolution will be on the agenda for the next meeting.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS: None

SUBDIVISIONS – IMPROVEMENTS:

- 1.) Approval for Time Extension until May 11, 2025, for Estates at Maple Ridge
 - a. Letter from WB Homes, Inc

Please accept this request to the Upper Milford Township Board of Supervisors to extend the Land Development Agreement for the Estates at Maple for an additional year so that we may complete the improvements required under the agreement. The current agreements will expire on May 11, 2024.

MOTION: Supervisor Mohr made a motion to approve the time extension for The Estates at Maple Ridge until May 11th, 2025, provided they continue to pay all Township fees and address all review letter items. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

CORRESPONDENCE:

- 1.) Seed Farm Request for Special Fire Police on May 11th & 12th from 9-3 & 11-1
 - a. Email from Farm Manager David Sell

My name is David Sell and I am the Farm Manager here at The Seed Farm. I am contacting you to ask for the approval of Special Fire Police Assistance from the Vera Cruz Fire Department. The Seed Farm has been putting on an Annual Plant Sale event for the past 9 years, this year being the 10th. Last year The Seed Farm's Spring Plant sale had a great turnout, maybe the most people ever. I was assisting people with parking but noticed the traffic was backed up from the entrance of the farm all

the way down to the bridge over 476. The dates of this year's Spring Plant sale are Saturday May 11th and Sunday May 12th. Saturday's hours are 9:00am – 3:00pm. Some people arrive before 9:00am. 350 people made transactions by 12:00pm. Sunday's hours are 11:00am – 2:00pm. Sunday is usually much less busy than Saturday. 150 people made transactions between 11:00am and 1:00pm. Safety and flow of traffic are our main concerns. Thank you and I look forward to working with the Fire Co.

MOTION: Supervisor Zgura made a motion to allow special Fire Police Assistance for the Seed Farm Plant sale as requested above if Citizens Fire Police are willing and available. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

OTHER ISSUES: - None

REPORTS:

Emergency Services Committee Report: Joe Terrible relayed that there has been a tremendous amount of time put into the Fire Company budgets and extended plans. If the Board has any questions they invite the ability to answer all of the questions to the Emergency Services Committee. He said he didn't feel qualified to speak on the types of vehicles the Fire Company needs as he is not a Fire Fighter but can help answer the questions on the expenses side of it.

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: Report on website

Fire Companies: No Report

Emmaus Library: Lisa Marten reported that planning is under way for the Summer Reading program and they expect approximately 1000 people to take part in the program. She also stated that the new Library Director has settled in nicely with the library.

Recreation Commission: Next meeting is April 15th, 7pm at Lenape Park

Supervisor Ashbrook asked if the mowing frequency had been discussed by the Recreation Committee to Public Works. Manager Carter stated that Public Works will be attempting to mow every other year as recommended.

Township Manager:

Bud Carter – No Report

Supervisors:

Daniel J. Mohr – Dan thanked everyone involved in helping the Vera Cruz Community Association with finding a stage rental. Northampton has approved the stage rental to the Community Association for the 2024 Homecoming. The Association also has the Egg Hunt coming up on March 30th at 1pm. Dan reminded everyone to get there early as the event happens very quickly. Dan also mentioned that he continues to have concerns with the intersection at Vera Cruz and Main Rd.

Angela Ashbrook – She just mentioned that with some quick math even with only one Fire Company no one would be outside the milage distance for Fire Insurance.

John D. Zgura – John wanted everyone to understand that he would never intentionally put anyone in danger. He wants to make sure that all options are discussed for the Fire Companies out of the responsibility to the taxpayers. If all options are discussed and things are ruled out at least the Board of Supervisors can relay to taxpayers that everything was discussed as the process was worked through.

Phil Casey wanted to let everyone know that PennDOT came through and moved a lot of debris along main Rd but stopped short of the area with the logs in the gutter. He wondered if the wheel loader could just take care of that the next time it went past.

EXECUTIVE SESSION: - Not needed.

ADJOURNMENT: Meeting was adjourned at 7:55 pm.

Chairman John D. Zgura

4/4/2024
Date

Secretary/Treasurer Jessi O'Donald