

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
March 20th, 2025, 7pm
REGULAR MEETING MINUTES

ATTENDANCE: Supervisors: Daniel Mohr, Angela Ashbrook, John Zgura; Manager Edward Carter, Planning Coordinator Brian Miller; Solicitor Marc Fisher; Secretary/Treasurer Jessi O'Donald

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Meeting called to order at 7:01 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.

PUBLIC INPUT:

- 1.) Lehigh County Executive – Phillips Armstrong

Phil introduced himself and thanked everyone for having him each year. This will be his last meeting with Upper Milford as he will be retiring at the end of the year. He stated that he knew most of the questions would be about the radios. He invited Don Smith Jr and Craig Breneiser to stand up with him.

- 2.) Don Smith, Director of 911 System & Craig Breneiser consultant for radio system

Don Smith Jr and Craig Breneiser introduced themselves. Don is the director of the 911 center and Craig is the expert on the radio system and the radios.

Supervisors and audience members asked why they were not communicated with sooner, if Allentown is also in this upgrade, what would happen if they don't upgrade radios, why the state isn't paying for this upgrade, why the County isn't paying the upgrade, average costs, if the Star Link System could be used as an alternative, is the system installed already and if not will the radios be outdated prior to first use.

It was explained that the Radio system upgrade was a mandate from the state to go to the P25 digital systems by 2026. The process was started in 2022 due to coverage issues. Allentown 911 went to this same type of system prior. The upgrade was presented to the municipalities at the Two COG meetings. Manager Carter stated he was able to attend the first meeting but not the second meeting and asked why nothing was sent along to the Municipality for the Boards to see as it is one thing to explain what was heard and another to see it in writing. Phil Armstrong also wishes the State would be paying for the upgrade as he felt it was another unfunded mandate. The county decided it was able to hold the bond and cover the first five years of the costs for that bond to allow the municipalities the option to have five years' interest free on the pay back. This loan will only cover radios and installation, not accessories. The first payment wouldn't be until 2026 to allow time to budget for the cost of the payback as the municipality sees fit. Craig explained that the Star Link System is an internet provider that can allow for some communication and the cost of installation

would be far over the cost of the radio system upgrade. The radio system as built will have a 20-year life span. The system is going to be up and running by the end of the year. All components are staged at a warehouse in New Jersey ready for installation. The radios will be sourced in early summer to be delivered in time for installation and use when the system is ready. Chief Kline stated the County didn't give any dollar amounts. That the dollar figures originally figured into a cost were based roughly on what they had paid for the last upgrade, the county didn't give any cost amounts. Chief Bawden stated the organizations needing radios needed to turn in an inventory list to the county last year. The Quotes produced were based on that inventory list so organizations couldn't order more radios than what they originally stated. The discussion led to which manufacture for the radios and why each department wanted to go with different manufacturers. Citizens felt they were fine with Kenwood radios. If they mutually aid into Berks or Montgomery Counties, they will still be able to be patched into that county's radio system, just not having direct communication with that county's radio system. Western would like to go with the Motorola radios as they meet the requirements for the Berks, Montgomery and Bucks County systems and can directly communicate with those in dispatch or responders there as they mutually aid into the other counties often. Supervisor Ashbrook asked why the difference. It was explained that those Counties set the parameters for their communications systems and those systems are closed to anything that doesn't meet their requirements, like a cell phone on a Verizon or AT&T system. It was asked if the cost would come out of the Fire Service Tax. Manager Carter stated that the radios would be an allowable expense. Portable equipment is not usually under a bid price. It was stated that both of our Fire Companies are within the average of the surrounding fire companies. The system itself will be maintained with the 911 fees. The ownership of the equipment is up to how the agreement is made with the township and the Fire Companies. Is there still a possibility of a bulk discount for the Municipality. Phil Armstrong stated the savings would be passed along to the Municipalities. Joe Terrible stated that the budgeting for the radios started in the Fire Company's information in the last five-year plan update. This item has been talked about for a while and that until they were able to get a quote no one was sure of the cost. Since 2023 they have been talking about budgeting for this. T was asked why there isn't a statewide communication system. Phil Armstrong said he asked that ears ago and he was told from the state that it would be too big of an area and cost too much money and will be years down the road. Phil Casey asked about the radio tower outside the building. Since the tower isn't used what does the State Police use. Craig answered that the State Police use a P25 system slightly different then what the county system will be.

Ron Beitler introduced himself as the county Commissioner for our area. The county had recently redistricted the commissioners, and he was new as the commissioner for Upper Milford township. He wanted to explain that the County is the messenger and wanting to act as the bank to help the municipalities. This system upgrade was initiated by the state. The Municipality doesn't have to use the County for the financing. Other entities are using their own funds or financing. The County has offered to be helpful. The radio upgrade is necessary to address the communication concerns and if the radios are not upgraded the Fire Companies will not be able to be dispatched by the county for emergencies. This is needed communication equipment.

Don Smith said he was open to more questions, if anyone has questions after they leave the meeting, they should have Bud compile the questions in one email and he would answer them. Maintenance for the system is in the bid price.

Ron Beitler wanted to thank Upper Milford township for the work that has been done with the open space preservation. He stated that Upper Milford Township uses every tool in the box to get these preservations done and it is a huge asset to the area and educational for surrounding Municipalities.

Jim Krippe asked about the Township and a possible need for radios. Manager Carter stated that the Township follows the Fire Companies but doesn't communicate with Fire through the radios. He wouldn't recommend purchasing new radios with the new radio cost. The Fire Companies and the County can contact the Township if needed.

Before the Fire Companies were excused Dan Mohr thanked them for their work on the brush fires recently.

Jim Krippe asked if the cost would come out of the fire tax. Supervisor Zgura reminded him that all money is taxpayer money. The Board has not decided how they are paying for it at this time.

Jim Krippe stated that he looked at the budget history and claimed that the Township raised the Township portion of the budget tax higher. He said the tax increase was .30 mills.

Chief Bawden explained how they inventory radios per seat in the trucks.

3.) Petition for Leah Dr no parking request

The residents along Leah Dr in the Little Lehigh Acres development have requested the permit only parking area be extended. Students from the high school are parking along the road further into the development since the Borough extended the permit parking surrounding the school and the students are blocking mailboxes, driveway sight lines and garbage pick-up, along with just having cars lined along a street where there weren't cars parked prior for any length of time.

There was a discussion on parking areas, understanding of resident concerns, cost to implement, enforcement mechanism, and the lack of parking for students who need to attend after-school activities and jobs. Supervisor Zgura asked staff to get an idea of the cost of installing additional signs and the Board will discuss it again at the next meeting.

ACCEPTANCE OF MINUTES:

Approval of March 6th, 2025, regular meeting minutes.

MOTION: Supervisor Zgura made a motion to approve the minutes as presented. Supervisor Ashbrook 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. **23706 to 23743** in the amount of **\$101,973.03**

ACKNOWLEDGEMENT OF BANK TRANSFER:

Transfer No's. 2024-012

MOTION: Supervisor Ashbrook made a motion to pay the bills as read and acknowledge the bank transfer. 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.) 6880 Tollgate Rd Preservation agreement for amount over County Cap - \$28,851.00

a. Letter from Brian Miller

I received a municipal partnership request from the Lehigh County Agricultural Land Preservation Department and Miguel Franco & Emily Gargiulo (owners of 6880 Tollgate Road Zionsville). The property has been chosen for agricultural preservation by Lehigh County and has recently received an easement appraisal. The easement value was appraised at \$7,770.00 per acre. Lehigh County currently caps the easement purchase at \$6,000.00 per acre. The Property Owner & County have requested a municipal partnership to be able to pay the full appraised value for the easement. The easement contains 16.3 acres total, and a partnership would make Upper Milford Township a 22.78% joint easement holder for this property, at a cost of \$1,770.00 per acre totaling \$28,851.00.

The Township has previously partnered with Lehigh County on several agricultural preservation easements, increasing the amount of preserved farmland across the township. A copy of the agreement for the sale & purchase of the agricultural conservation easement with Lehigh County is attached, if you wish to participate with the County on this agricultural easement a Resolution is also attached for the authorization of the Township Solicitor & Manager to expend township funds and execute for and on behalf of Upper Milford Township any necessary forms or documents for the purchase of this agricultural easement.

MOTION: Supervisor Zgura made a motion to approve resolution 2025-024 and enter into the preservation agreement for 68880 Tollgate Rd as outlined in Brian Miller's Letter dated February 19, 2025, for a Township share of the easement at \$28,851.00. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

2.) Authorization for Fire Service Tax Accounts

a. Letter from Secretary/Treasurer Jessi O'Donald

The 2025 tax bills will be going out April 1st. To account for the additional Fire Service Tax authorized in the 2025 Budget, I am requesting additional PLGIT Accounts to maintain these funds separately from other Township funds. The request specifically is for one additional account with checks and two additional savings accounts. This would leave current Fire Company Cap accounts as they are and enable the start of the Fire Service Tax Funding by the budget and Resolution 2024-034.

MOTION: Supervisor Zgura made a motion to approve the additional accounts through PLGIT for the Fire Service Fund as requested. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

3.) Appointment for ZHB Alternate with term to expire January 5th, 2026

a. Memo from Manager Bud Carter

With the current opening on the Zoning Hearing Board, I have received an application from Jason Pantella. Jason has expressed his interest in severing on the board, his applications is attached for review. I would like to recommend to the board his application for the position.

MOTION: Supervisor Ashbrook made a motion to appoint Jason Patella to the Zoning Hearing Board as an alternate with a term to expire January 5th, 2026. Supervisor Zgura seconded the motion. Hearing no questions or concerns, all were in favor, motion carried.

- 4.) Appointment for Recreation Committee term until January 5th, 2028
 - a. Memo from Secretary/Treasurer Jessi O'Donald

With John Welch leaving a vacancy on the recreation committee Christyna Lepetuik has applied to join the Recreation Committee. Christyna attended the March 17th meeting and added valuable insight to the conversation. We would like to recommend her appointment with the term to expire January 3rd, 2028. If you agree then motion to Thank John for his participation and appoint Christyna would be in order.

MOTION: Supervisor Zgura made a motion to appoint Christyna Lepetuik to the recreation Committee with a term to expire January 3rd, 2028. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 5.) PennDOT Lease Agreement – RESOLUTION 2025-025
 - a. Memo from Manager Bud Carter

The PennDOT Stockpile lease is presented to be renewed for five years with the yearly lease amount of \$5,500.00 per year.

MOTION: Supervisor Ashbrook made a motion to approve the renewal of the PennDOT stockpile lease for 2025-2030 for \$5,500.00 per year as presented. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 6.) Playground Proposal for Lenape Phase II DCRN grant
 - a. Memo from Kyle Walbert

Township Staff has reviewed 3 quotes and designs from the selected COSTARS vendors for playground equipment, site work, and site furnishings in regards to the DNCR Grant the Township is applying for. After careful thought, discussion and review; Township Staff have selected the design from General Recreation Inc. The poured in place surfacing and concrete curbing is quoted from Willow Playworks. Willow Playworks are direct sub-contractor and vendor with General Recreation Inc. and are also on the COSTARS-14 contract. The proposed playground falls within the overall budget proposed for the grant including play equipment, site furnishings, concrete curb and poured in place. We also have received a recommendation letter from the Recreation Committee on the design as well. We are requesting a motion to move forward with the attached quote and design from General Recreation Inc. to submit to DCNR for their review and approval for the C2P2 Grant application.

There was discussion of the cost of the poured rubber surfacing. The DCNR grant application is a matching grant for \$500,000.00 with \$250,000.00 from DCRN and \$250,000.00 from the Township. The quotes provided were for play equipment cost of \$196,062.00 and poured surfacing of \$189,431.25 including concrete curbing. This quote leaves budget room for installation material done by Public Works. Supervisor Ashbrook stated that the Township always looks to go with the best of everything and she didn't feel the cost of the poured surfacing was warranted as the roads everyone drives on but not everyone uses the park. She felt that money could be spent elsewhere. There was discussion of the removal of handicap ramps on the equipment if the poured surfacing was not going to be installed. Supervisor Zgura suggested keeping the ramps in if the wood mulch is labeled as

handicap accessible. Dan Mohr suggested that if Upper Milford doesn't go for the grant the money will go to Philadelphia or Pittsburgh. Phil Casey suggested that if we don't take grants, we can limit outsiders from using the parks. Jim Krippe stated that he built playgrounds, and the rubber surface gets hot, but the longevity is all in the installation and the base. Mulch has no heat. Dan questions rodents in the rubber. That was more with the loose rubber. Colt asked if it was permeable.

MOTION: Supervisor Zgura made a motion to approve the play equipment for the DCNR C2P2 grant application with wood mulch instead of the proposed poured rubber surface. Supervisor Ashbrook seconded the motion. Hearing no questions or comments, Supervisors Zgura and Ashbrook were in favor, Supervisor Mohr was against, motion carried.

- 7.) Awarding of Road Work Bids for 2025
 - a. Memo from Kyle Walbert

Township staff prepared and advertised to receive bids at 1:00 PM March 13, 2025. Bids were received and opened by Kyle Walbert, Assistant Zoning Officer and witnessed by Bud Carter, Township Manager. Bids were received for: 1. Bituminous Seal Coat, 1 bid
2. Line Painting, 3 bids. Bid Tabulations are attached. Based on the staff's 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, Award to: Asphalt Maintenance Solutions P.O. Box 387 Center Valley, PA 18034. For the contract amount of \$206,778.04 2. Line Painting. Award to: A-1 Traffic Control 430 Hallman Rd. Douglassville, PA 19518. For the Contract Amount of \$19,747.20 for 2025 and \$21,542.40 for 2026. The recommended award bidders are PA DOT prequalified, and they have provided the completed bid forms.

MOTION: Supervisor Ashbrook made a motion to award the bids as listed in Kyle Walbert's memo dated March 18th, 2025, to Asphalt Maintenance Solutions for Bituminous Seal Coat in the amount of \$206,778.04 and A-1 Traffic Solutions for line Painting in the amount of \$419,747.20 for 2025 and \$21,542.40 for 2026. Supervisor Zgura seconded the motion. Hearing no questions or concerns, all were in favor, motion carried.

DEP MODULES / SEWAGE PLANNING: - None

PLANNING COMMISSION – OLD BUSINESS: - None

PLANNING COMMISSION – NEW BUSINESS:

- 1.) Dunkin Donuts time extension until –
 - a. Letter from Planning Coordinator Brain Miller

Brian Miller received the attached time extension request for 4050 Chestnut Street. The projects current Time frame is due to expire March 31st, and the attached request is proposing to extend that date to June 30th, 2025, so that the project can be completed. If you agree, the Solicitor and I will complete the process with the applicant.

MOTION: Supervisor Zgura made a motion to approve the time extension for Dunkin Donuts until June 30th, 2025, according to Brian Miller's Letter dated March 19th, 2025. Supervisor Ashbrook seconded the motion. Hearin no questions or comments, all were in favor, motion carried.

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: Report on website

Fire Companies: No Report

Emmaus Library: No Report

Recreation Commission: Please fill out the survey. Angela stated that Oliva is doing well with the Celebration event, and it is turning into a big event.

Township Manager:

Bud Carter – No Report

Supervisors:

Angela Ashbrook – Angela asked if her email could be listed in the next newsletter

John D. Zgura – No Report

Daniel J. Mohr – Dan wanted to commend the fire companies for handling all the calls. They had 6 calls in one day and handled them all.

EXECUTIVE SESSION: - Not needed

Colt asked Dan if he was running for supervisor.

ADJOURNMENT: Meeting Adjourned at 8:56 pm.

Chairman Daniel J. Mohr

04/03/2025

Date

Secretary/Treasurer Jessi O'Donald