

**MINUTES**  
**May 18, 2020**  
**Teleconference Meeting**  
**7:00 p.m.**

A scheduled meeting of Milford Township Supervisors was called to order at 7 P.M. by Chairwoman Penney Luhrs through a teleconference, the call-in number for which had been advertised in advance in the Pike County Dispatch. Also present were Vice-Chairman Gary M. Williams, Supervisor Rachel Hendricks, Solicitor Anthony Magnotta, and Secretary/Treasurer Shahana Shamim.

Rachel Hendricks made a motion to approve the minutes of the previous meeting, Penney seconded, and it was passed unanimously.

**Treasurer's Report:**

Shahana reported that since the last meeting she had received \$200 from Zoning, and \$4,018.00 from Real Estate Transfer Taxes. She added that she had provided a list of proposed bills, financial account balances, and April 2020 transactions.

**Roadmaster:**

Mr. Gary M. Williams, the Roadmaster, reported that since the last meeting, road crews had been working on the ditch lines, and the salt truck was cleaned that day. Rachel inquired if roads would be paved in the current year with the liquid fuels' money. Gary replied that he wanted to wait until next year, as it was already too late, and everybody was held up. Rachel said that the oil was very cheap as of then. Gary replied that he would call PennDOT, but some money was already spent for salt, and hence there was only \$70,000 left of the Township's liquid fuels budget. He added that he intended to do a portion of the Schocopee Road, which was the worst portion of the Township, but an estimate to do this road had showed that it would cost \$165,000.

**Public Participation #1**

None

**Correspondence:**

Shahana presented correspondences including PSATS, Pike County Area agency on Aging, United States Department of Agriculture, HRG, Myer & Myer, Philadelphia Regional Census Center, Milford Water Authority, PLGIT, PIRMA, Family Service Association of Northeastern Pennsylvania, AECOM, Pike County Commissioners Office, Pennsylvania Community Rights Network, Pike County Office of Community Planning, Solicitor, PA Department of Labor and Industry, and Pike County Conservation District.

**Old Business:**

**a. Employee Manual**

Rachel Hendricks made a motion to table this item in a later meeting, Penney seconded, and it was passed unanimously.

**b. Extension of Emergency Declaration for COVID-19:**

Gary M. Williams made a motion to extend the Disaster Declaration through the next meeting of June 1, 2020, Penney seconded, and it was passed unanimously.

**New Business:**

**c. DEPG – Santos’ Property**

Penney Luhrs said that Mr. Jim *DePetris* would describe DEPG’s plan for the Santos’ property, and then they would present it in the next Planning Board meeting. She added that Shahana had distributed this Plan and the proposed Amendment Change to the Board of Supervisors, though it went out just a couple of hours before the meeting. Mr. DePetris said that Mr. Doug Olmstead (Development Manager), Nate Oiler (site engineer), Paul Menichello (traffic engineer), Charlies Schmehl (planning consultant), as well as Ralph Matergia, Esq. were accompanying him for this presentation. He added that they were back with a modified plan of mixed-use, which would include only 48 condominiums, a café, a convenience store, and a restaurant for the Santos’ Property.

Mr. Olmstead explained that there would be two residential buildings, each of which would contain 24 condominiums. He continued that these two buildings would be closer to the Township building. The restaurant/pub would occupy 6,000 square feet, and the retail area would occupy 6,300 square feet. A coffee shop which would occupy 2,800 square feet, would be attached to this retail area. A fast food restaurant, which would occupy about 4,300 – 4,400 square feet, would also be there. The gas station/convenience store would be there also, and it would occupy about 5,000 square feet. The other side (north) of the three-lane was also being looked at, but developments on that side of Route 6 & 209 would include only retail/commercial buildings. They had all the documents for a 537 Plan, as the Sewage Enforcement Officer was testing the soil for on-lot sewage of this property.

Representatives of DEPG explained that the main driveway coming out of Route 6 would trigger the necessity of a traffic signal. A scoping application would be submitted to the PennDOT for the traffic study and improvements. In order to alleviate the congestion around the convenience store, there would be an auxiliary right-in and right-out. The Township, which would be able to provide feedback as well, would be invited to be a part of this scoping application. A shared driveway into the Municipal building would be there, and a by-pass would be used to handle the traffic of the convenience store. This plan was complying with the current Ordinance with a few exceptions, and hence only some changes to the Ordinance were being requested. One of the requests for the changes was to modify the definition of a retail store, and condos would need to be allowed to be developed. There would be a 50’ building setback between a new residential building and a commercial building. An increase of the tree requirement, which can be an attractive addition to the community, is being proposed. There would be a shade tree after every ten parking spaces. A sign, which would advertise all businesses of this multi-use property, would be needed. The current Ordinance allows use of national data for parking needs, whereas they are proposing to use the Institute of Transportation Engineering Parking Generation Manual, which is the nation-wide research resource, and is used for some other Municipalities, for parking demands. He said that they would appreciate feedback on this proposed change to the

ordinance. Mr. DePetris added that they were looking forward to presenting this proposal in the upcoming Planning Commission meeting.

Rachel Hendricks commented that the Board of Supervisors had extended the COVID-19 Emergency Declaration, which cancels all the Advisory Board meetings, until the next Supervisors' meeting of June 1, 2020. Mr. Magnotta said that Supervisors were authorized to change the cancelling part of Advisory Board meeting from this Emergency Declaration, and thus the Planning Board could be allowed to have a meeting. Penney made a motion to take the paragraph, which includes cancelling Advisory Board meetings, out of the COVID-19 Emergency Declaration Resolution, so that the Planning Board could have a meeting on May 26, 2020 through Zoom or a teleconference. Gary M. Williams seconded to this motion, but Rachel Hendricks voted a 'nay' to this motion.

Mr. DiLorenzo suggested having Shahana inform Planning Board Members. Bill Pitman inquired who would be responsible for installing and maintaining the proposed traffic light for the Santos' Property. One of the representatives of DEPG replied that in Pennsylvania, Municipalities own and maintain traffic lights, and usually the developer reimburses the Municipality through a third-party agreement. Mr. Doug Olmstead explained that the Developer would work on the design, permits and construction related activities, and the Township would have to sign the permit application, which would include the agreement, which would state that the Developer, instead of the Township, would bear the cost of the traffic light operation. The Township would get invites for scoping meetings, and thus get involved. The Solicitor inquired if the Township would be responsible for this traffic light in case anything happened to the Developer. One of the representatives of DEPG replied that the third-party agreement, through which the Township would be able to collect costs, would establish the financial and long-term maintenance securities.

One of the participants of the meeting inquired if owners of these condominiums would be able to rent their condominiums. One of the representatives of DEPG replied that these would be a form of ownership, and hence they would be able to rent. Mr. Dave Chant explained that a lot of homeowners in nearby towns are ready to sell their houses, and they look for buying such condominiums in places, where they would be able to walk to stores and coffee shops.

- d. **Columbia Gas Transmission:** Mr. Williams said that according to the Erosion and Sedimentation Control Plan, Columbia Gas Transmission was the client. The Solicitor explained that it was a letter from AECOM, and this entity was doing some improvement to the Compressor Station. He continued that he had spoken with the Zoning Officer, and a variance would be needed, as this improvement had to be done in the setback area. They would also need a land use approval and an NPDES permit, which is a six to 18-month long process, from the Pike County Conservation District. Mr. DiLorenzo commented that Columbia Gas owned the property, and it was probably just a notification from them. Gary said that he had the Domestic Vendor request from AECOM, and he inquired if any financial information needed to be provided. The Solicitor replied that only the Employer Identification Number needed to be entered, and the form would have to be mailed. He added that the AECOM, which is expecting to be reimbursed, was acting for the owner, which was Columbia Gas Transmission. Penney inquired if the Board needed to do anything for this project. The Solicitor replied that the Zoning Officer could comment on this project within 30 days, and then send it back to

AECOM. Rachel indicated that it was very difficult to adequately review maps of this scale on a laptop screen. Penney asked Shahana to ask Shawn to send his comments to AECOM. Rachel asked that such communications include permits that need to be addressed for the project to proceed, at the Township level. It was noted by the Solicitor that there would be another meeting before the 30 day comment period expired and so it could be addressed at the next meeting as well.

Mr. DiLorenzo commented that members of the public would not be able to view any plans without a Zoom meeting. Penney added that she just wanted Planning Board Members to have a conversation with DEPG, and not make any major decisions. The Solicitor explained that the Zoom meeting would have to be advertised in the Township's website and in the newspaper. Penney asked Shahana to work on that. Rachel commented that Zoom requires a paid subscription for meetings, which are longer than 40 minutes. The Solicitor commented that the DEPG would be able to share their screen with attendants. Rachel commented that the contact information for the Zoom meeting would have to be advertised, and that would lead to a security vulnerability, such as was recently experienced by Westfall Township. She added that this technology has a mute feature, which can cause communication problems, such as public officials remaining accidentally muted by the host of the meeting, and nobody else being able to hear them. The Solicitor added that this actually had happened in one of meetings he attended. Penney commented that she was hoping that the Township would be able to conduct in-person meetings after the next meeting of June 1, 2020. The Solicitor commented that the Township meeting room was too small for maintaining social distancing. He added that one of the Townships had scheduled their meeting outside the building, and it had started raining. Mr. DiLorenzo commented that meetings could not be conducted in the garage either, as there could be liability problems. Rachel added that using the Delaware Valley School Auditorium for meetings could be an option. Gary M. Williams commented that the school may not be available for Township meetings. He added that one other problem with the Zoom meeting was that the Township computer did not have a camera in it. Mr. DiLorenzo said that he would rather like to use the teleconference system for the upcoming Planning Board meeting. He asked that the DEPG materials be posted on the Township's website in advance for members of the public.

- e. **Primary Election:** Rachel Hendricks made a motion that no employees would be present in the building on the Primary Election day, which is June 2, 2020. She added that the date of the Primary Election be posted on the marquis sign by the road. Penney Luhrs seconded to this motion, and it was passed unanimously. Gary M. Williams commented that the letter from Pike County Elections Office stated that the Township building could be sanitized, and the Pike County Elections Office would pay for it. Mr. DiLorenzo commented that the polling staff would be cleaning the polling place after every person casts his/her vote. The Solicitor said that some quotes could be made available before the next meeting so that one could be chosen. It was pointed out that the next meeting was only the day before the Election and did not provide adequate time. Rachel suggested that Shahana could contact Pike County Elections Office, and ask for the names of vendors to contact who would do this type of cleaning, and the Board of Supervisors could pre-approve the lowest quote. The Solicitor said that Supervisors could authorize Shahana to get quotes through Pike County Elections Office, but there was not guarantee when the building would be sanitized. Rachel Hendricks made a motion to authorize Shahana to get three phone quotes through Pike County Elections Office, and pick the

lowest quote for cleaning on June 2, 2020 right after closing the polls or the next day, Gary M. Williams seconded, and it was passed unanimously.

**Other Public Participation:**

Mr. Fred Weber asked Shahana about the correspondence from Milford Water Authority and HRG. Shahana replied that the HRG had sent their Act 537 special study progress report, which had been issued on May 6, 2020. She added that the Milford Water Authority had sent their By-Laws. Mr. Weber said that he would send a Right-to-Know request to get these documents. Rachel commented that a Member, who was a Milford Township resident, was resigning from the Milford Municipal Authority. She continued that there was an Amendment, which was updated on May 11, 2020, to these By-Laws, and it made the office and meeting location current. This Amendment was not stamped by any official recording entity, to her recollection. She asked Shahana to forward Milford Water Authority's By-Laws to the Solicitor. The Solicitor said that appointments are performed by the Governing Body. Gary M. Williams commented that there should be another Amendment, as the Milford Water Authority had received a million-dollar grant at some point and changed its scope at that time. He added that originally it used to be the Milford Water Authority before it became the Milford Municipal Authority.

Fred Weber inquired if the convenience store, the gas station, and the restaurant were on the west side and if condominiums would be on the east side of the Santos' Property. Penney and Rachel explained that DEPG's presentation had explained that all buildings discussed at this meeting would be on the same side of Route 6 & 209, where the Township building is located.

Rachel Hendricks informed that she had received a notification from Tim Knapp that the local Walmart would be offering free COVID-19 testing in its parking lot beginning the upcoming Friday. Penney and Gary inquired if any qualifications or prescriptions would be required for this test. Rachel replied that the qualified group for this test would include people with symptoms, high risk group of people without symptoms, and healthcare workers, who work in higher risk environments qualified.

Bill Pitman said that he had received a mail-in ballot application, and he inquired if anybody knew who had sent it to him. Rachel replied that Pennsylvania had started this new way of voting this year, no excuse absentee ballots, which was approved last year, before COVID 19. She continued that, for example, if anybody becomes unable to drive, and applies for that absentee ballot list, then he/she would keep receiving absentee ballots before every election. The polling place will be open, but the Board of Elections is heavily recommending voting by absentee ballot, as only a limited number of people will be allowed in the polling place at a time. Voters are being asked to wear face masks as much as possible for the protection of the poll workers, who will be sanitizing the polling place after each voter leaves, and hence the process will be longer. Voters would be separated by six feet while they are waiting in line.

There was no other business or executive session needed, so a motion was made by Penney Luhrs to pay the bills and adjourn. Gary M. Williams seconded it, and it passed unanimously. Adjournment was at 8:20 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer

Milford Township

Pike County