

MINUTES
June 7, 2021
Zoom Meeting of the Board of Supervisors
7:00 p.m.

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

Gary M. Williams made a motion to approve the minutes of the previous meeting, Rachel Hendricks seconded, and it passed unanimously.

Treasurer's Report:

Shahana reported that since the last meeting she had received \$972.30 from Econo-Pak, \$22.55 from United States Treasury, \$41.03 from Code Inspections, \$200.00 from Zoning, \$400.00 from Sewage, \$125.00 from Pike County Board of Elections, \$4,878.62 from Real Estate Transfer Tax, and \$9,889.24 (Real Estate \$8,241.03 & Ambulance \$1,648.21) from Tax Collector. She also reported the financial institution account balances as \$259,996.75, &25,483.70, \$17,669.31, \$7,835.13 and \$153,339.91 in Wayne Bank (Investment), Wayne Bank (Payroll), NBT Bank, PLGIT (General), and PLGIT (Liquid Fuels) accounts respectively.

Roadmaster:

Gary M. Williams, the Roadmaster, reported that they were waiting for some parts of the tractor so that mowing could be started. He continued that there were some brushes in Schocopee Road. The pickup truck had broken down, and it was repaired. He added that he had received two bids for paving Schocopee Road, and the Solicitor asked him to open those at 7:15pm, as the bid was advertised to be opened at that time.

Hearing – LC Station Conditional Use/Land Development Plan: Ms. Luhrs made a motion to open this hearing, Ms. Hendricks seconded, and it passed unanimously. Mr. Lou Cozza, the Engineer for Mr. Tom Station said that the area of the property under discussion was 2.24 acres, and it was owned by LC Station Properties, LLC. He continued that it was the lot right up the hill from Shohola Dollar General off of Route 6 in Shohola, and it was at the end of Riley's Lane. A 5,000 square foot storage building, which would include an office space, was being proposed, and the proposed office would perform metal fabrication. There would be eight parking spaces, and one of them would be the handicapped parking. Two temporary construction trailers existed at the back, and there will be some outdoor storages. Hours of operation would be from 5:00 A.M. till 7:00 P.M., and the metal fabrication, which is minor in nature, would be from 8:00 A.M. till 7:00 P.M. inside the building. This application had gone through the reviews of the Planning Commission and Zoning. The County had reviewed the application also, and they had no comments. Chris Jones from the newspaper inquired if it was an existing business or a new one. Mr. Cozza replied that it was an existing business with a new location. Mr. Station said that they had started this business in the garage.

The Zoning Officer stated that this property was posted seven days before the hearing, and adjacent property owners were notified by mail over 14 days prior to the hearing. He added

that according to the deed, Shohola Dollar General would be responsible for the road that is in front of them, and Mr. Station would be responsible for taking care of almost the entire cul-de-sac. Ms. Luhrs made a motion to close the Hearing, Ms. Hendricks seconded, and it passed unanimously. Ms. Luhrs made a motion to open up the Township meeting again, Ms. Hendricks seconded, and it passed unanimously. Rachel added that the Planning Commission had forwarded their recommendation on April 30, 2021, and those comments needed to be incorporated also. The Zoning Officer added that this letter of recommendation from the Planning Commission was addressed to the Board of Supervisors, and it had asked to clarify the total number of employees, hours when the light fabrication would be done on the property, job boxes and storage containers, type of material that would be stored, showing the gate on the map, hours for loading trucks, and any State and Federal regulations. Mr. Cozza added that these recommendations were added into the business plan.

The Solicitor said that he had received the Engineer's review for this application, and the Engineer's comments would have to be incorporated into the plan. He continued that the May 12th business plan that Mr. Station had submitted could be used as the conditions, but Mr. Fuller's comments, which were sent that day, and the Planning Board's comments, which were sent on April 30, 2021 would have to be incorporated onto the business plan. Mr. Stroyan inquired if the job box problem was resolved. Mr. Cozza replied that there would be two temporary construction trailers, and the Zoning Officer had indicated that it would be permissible for two years. The Solicitor added that outdoor storages are prohibited in the ordinance, unless it's an approved structure. Mr. Cozza added that these temporary construction trailers would contain the materials that would be needed for constructing the proposed five thousand square foot building. Mr. Stroyan said that job boxes could be permitted under "uses not provided for". Mr. Bolles said that "uses not provided for" would be another long application process. Penney made a motion to approve Mr. Station's May 12th conditional use, incorporating the business plan as conditions, contingent upon complying with the items that were listed in John Fuller's June 7, 2021 letter, and Planning Board's April 30, 2021 letter, Gary M. Williams seconded, and it passed unanimously. Mr. Cozza said that he would incorporate these comments into the plans and, he would submit 11 copies for Planning Board Members' and Supervisors' signatures.

Bids for Schocopee Road:

Mr. Gary Williams said that he had received bids from Wayco and Leeward Construction for paving this road. He opened both bids and declared that bids from Leeward Construction and Wayco were \$64,740.00 and \$67,075.32 respectively. Chris Jones, the reporter, inquired what was being done, and Mr. Williams replied that 2,500 feet of Schocopee Road from Route 6 to right past Ray's Auto and Truck Repair was being repaved with 2½ inches of asphalt. Gary made a motion to accept Leeward's bid of \$64,740 for repaving that portion of Schocopee Road, Rachel seconded, and it passed unanimously. Gary added that this work would have to be completed by September 15, 2021.

Zoning:

The Zoning Officer said that two accessory building permits were issued, and he was following a complaint about having chickens where it is not allowed. He added that he had received seven inquiries about a piece of property on Sawmill Lane, but no one had purchased it as of then.

Public Participation #1:

Fred Weber inquired when the Township would start in-person meetings again. Penney replied that Supervisors were considering getting microphones and 55 inch screen TV to start hybrid meetings. Mr. Weber said that these types of meetings allow more people to join. Bill Pitman asked for a clarification about what was being done in Schocopee Road, and Mr. Williams clarified it as an overlay of 2½” asphalt on the 2,500 feet of Schocopee Road from Route 6 to right past Ray’s Auto and Truck Repair. Rachel added that it was being paid out of Liquid Fuels allocation. Gary added that he would check with Leeward Construction about how much it would cost to do the shoulders in that area. He further added that doing shoulders with road crews is usually cheaper, but four road crews would be needed to do this job.

Correspondence:

Shahana presented various correspondences received, including from Kiley Associates, LLC, Thomas Shepstone, Pike County Commissioners, Pike County Board of Elections, Pike County Tax Administration, Pike County Commissioners, Pike County Area Agency on Aging, Pike County Conservation District, Pocono Mountains Visitors Bureau, and PSATS.

Old Business:

- a. **Regional EMS Meeting – June 29, 2021, 7:00 P.M. at Blooming Grove Township Building:** Ms. Hendricks said that Pike County Commissioner will match the EMS funding up to two mils if the Municipality spends two mils on EMS, and this plan will be unveiled in detail at the June 29th meeting. She made a motion to approve the Supervisors’ participation in that meeting, Mr. Williams seconded, and it passed unanimously. Penney said that Pike County Commissioners would need the information about how much this Township donated to EMS from ambulance tax and regular fund. Rachel and Gary said that this Township donates \$10,000 for the operational cost to EMS every year, and this year two mils of ambulance tax would be forwarded to EMS. Penney asked the Secretary for send this information to Pike County Commissioners.

- b. **Application to Department of Community and Economic Development (DCED) for American Rescue Plan (ARP) Funds:** Rachel said that an application has to be placed in the DCED website for obtaining this funding. She made a motion to apply for this funding in DCED website, Mr. Williams seconded, and it passed unanimously.

- c. **Wellhead Protection Plan:** Mr. Stroyan said that he had received an amendment to the original draft of wellhead/watershed protection plan from Mr. Shepstone. He continued that there would be a final joint workshop at the Milford Water Authority on the 14th, and a reasonably finished document would be available for advertising soon. This revision clarifies that this plan is based on the Sawkill Watershed Management Plan. Slight changes were added, and sanitary sewer lines will have to be double sleeved. The applicability section clarifies that the regulations would supersede the sections that conflict. The gallonage is reduced from 55 to 35 of storage material, and propane was

added to the list of hazardous substances. The Board of Supervisors would be able to grant modifications to these regulations by resolutions.

Rachel said that the schedule was constructed under three zones with conditional uses for specific reasons. She continued that for example, golf courses use pesticides, which can contaminate the water, and hence it is added as a conditional use under Zone three. ECONO-PAK building is close to Wheatfield Village, and it might become vacant in future. She added that she had asked Mr. Shepstone to look at the SIC of clean manufacturing (does not involve products that are hazardous) so that clean manufacturing could be conditional, rather than prohibited in these zones as she was concerned that an unintended consequence could be too severely limiting the adaptive reuse of the ECONO-PAK site. The Solicitor commented that the item “groundwater heat pumps supplying heating and cooling for other than a one-family detached dwelling unit” under the schedule of regulated land uses needed to be clarified, as it could mean that a two-family dwelling would be able to have a heat pump. He inquired if the boundary line of Source Water Protection Plan diagram was the overlaying district, as it was the entire township. Mr. Stroyan said that the zones one and two only relate to the wellheads, whereas zone three is the Sawkill Water Management area. The Solicitor said that he would communicate with Mr. Shepstone to clarify some of these items as it would become the Zoning overlay.

Mr. Pitman inquired if there are multiple wellheads in Milford Borough. Mr. Stroyan explained that Zone three is the Milford Municipal Authority that provides parts of Milford Township, parts of Milford Borough, and parts of Dingman Township, and it goes out to Westfall Township. He added that Zones one and two relate to the wellheads that service Wheatfield Village and Milford Town Green, which had moved to public water, and public water is regulated by DEP. Milford Borough has to use Milford Water Authority’s water.

Faith Zerbe from Delaware Riverkeeper Network commented that this area had been preserved for a long time, and this ordinance should not be rushed. She added that Delaware Riverkeeper Network would like to provide accurate and appropriate information for the Township from the river perspective, and she inquired how and for how long the township would receive public comments. The Solicitor added that it’s a Zoning Overlay District to the Zoning Ordinance, and hence there would be a public hearing by the Board of Supervisors. This amendment would have to be sent to the County for their comments, without which the Ordinance could not be adopted. Mr. Stroyan added that the Planning Board would submit the plan to the Board of Supervisors, and it would be sent to the County if the Supervisors find it satisfactory. He asked Ms. Zerbe to send comments soon so that those could be considered.

Rachel Hendricks said that Mr. Vito Dibiasi was sending comments through the Zoom text, and he was trying to comments on the Zones two and three. She clarified that the Zone two of the document under discussion was not the Zone two of the Milford

Water Authority. According to this document, Zone two is the area, which has the radius of 1,000' from the community wellhead. Zone three in this document is the aquifer zone that pertains to Sawkill, and it does not pertain to the Zone of Milford Water Authority. This Board responsibly and fairly ensures health, safety, and welfare to the residents, and at the same time, tries not to be overly burdensome to any property owners. This Board has to be careful about the limits, as businesses have to be able to function as appropriate, and jobs need to be available. Ms. Zerbe commented that steep slopes, forests, and mountains still exist in this area, it has been preserved that way for a long time, and if anybody wants to do something else with these then it would only bring a short-term gain. She added that Section 27 in Article I of Pennsylvania Constitution gives townships the leverage for seeking out protection for everything that is preserved for many years.

Rachel said that the Planning Board was still working on finishing this plan, when it is done it will be advertised for adoption, and public comments will be considered even at the Hearing. She added that comments can be provided to the township via correspondences, and the current version of the plan would be posted on the website. The Solicitor added that the substance of the amendment would be advertised between 7 to 30 days prior to the public hearing, so that it can be available for public inspection and comments. He continued that the crafted amendment has to be sent to the County for comments, and usually comments do come back from the County. Supervisors address those comments, and that generates additional public comments. He added that Mr. Stroyan had already said that a pretty much finished product would be delivered to the Board of Supervisors so that only minor adjustments instead of major ones would need to be done. If major changes are suggested at the public hearing, then it would be re-advertised for another public hearing.

New Business:

None

Public Participation #2:

None

Executive Session:

Ms. Luhrs said that this executive session would be for information only, no votes would be done, and then Supervisors would come back to the meeting.

Rachel made a motion to reopen the meeting, Mr. Williams seconded, and it passed unanimously. There was no other business or executive session needed. Rachel made a motion to pay the bills and adjourn, Penney seconded, and it passed unanimously. Adjournment was at 9:00 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer