

MINUTES
January 4, 2021
Zoom Meeting of the Board of Supervisors
7:00 p.m.

A scheduled reorganization 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 previous Vice-Chairman Gary M. Williams, Supervisor Rachel Hendricks, Solicitor Anthony Magnotta, Zoning Officer Shawn Bolles, and Secretary/Treasurer Shahana Shamim.

Mr. Williams made a motion to nominate Penney Luhrs as the Chair of the township Board of Supervisors, Rachel Hendricks seconded, and it passed. He made another motion to appoint Rachel Hendricks as the Vice-Chair, Penney seconded, and it passed. Supervisors also voted for the following:

Roadmaster: Gary M. Williams (Supervisor)

Deputy Tax Collector: Lorelei Davis

Secretary/Treasurer: Shahana Shamim

SOLICITOR: Anthony Magnotta

Alternate Solicitors: Anthony Waldron, John Klemeyer, and Tom Farley

Building Code Official: (commercial & residential) Code Inspection, Inc.

Sewage Officer & Emergency Management Director: Robert DiLorenzo

Zoning Officer: Shawn Bolles

Township Engineer: Kiley Associates

Alternate Engineer: MHE, John Fuller and James Farr

COG Representative: Shahana Shamim

Planning Commission Members: Robert DiLorenzo (Chairman), Kevin Stroyan (Vice-Chairman), Ray Willis, Patrick McCarthy, and Peggy Emanuel

Planning Commission Secretary: Shahana Shamim

Planning Commission Solicitor: Tom Farley

Zoning Hearing Board Members: Lyle Mitschele & Phyllis Simpson

Vacancy Board Member: Emil Moglia

Open Records Officer: Shahana Shamim

AUDITING FIRM: Kirk, Summa, & Company

HOLIDAY CALENDER: Follow Pike County's schedule of holiday closings

OFFICIAL NEWSPAPERS: Pike County Dispatch, Pocono Record, Pike County Courier, and Tri-county Independent

TOWNSHIP OFFICE HOURS: 9am to 1pm, Monday – Friday

Building Code Enforcement officers: 9:30am to 11am on Mondays

Zoning Officer: 9:30 A.M. to 1:00 P.M. on Mondays

SUPERVISORS' MEETING SCHEDULE: 1st Monday and 3rd Monday of the month at 7 P.M. Workshop at 6:30 P.M. (if a legal holiday, the Supervisors will meet at 7pm Tuesday of the same week)

PLANNING COMMISSION MEETINGS: 4th Tuesday 7 P.M. as needed

PLANNING COMMISSION WORKSHOPS: 1st Wednesday 7 P.M. as needed

The hourly rate of compensation of the Zoning officer and the Sewage Officer was voted to be \$15.50 and \$15.95 respectively; commissions on permits would remain unchanged. The Secretary/Treasurer's hourly salary was voted to be increased from \$14.50 to \$15.50 for the year 2021. The Solicitor's rate remained the same. The Secretary said that she would bring Zoning Hearing Board Members' expiring terms in the next meeting. Supervisors asked the Secretary to inform Emil Moglia that Supervisors had appointed him as the vacancy board member. Supervisors also asked her to inform the Alternate Solicitors that they were appointed by this Board of Supervisors. Gary M. Williams made a motion to adjourn the reorganization meeting and to start the Supervisors' meeting, Rachel seconded, and it passed unanimously.

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 \$38.76 from PSATS Unemployment Compensation Dividend, \$92.31 from Code Inspections, \$400.00 from Sewage, and \$150.00 from Zoning.

Roadmaster:

Mr. Gary M. Williams reported that after the previous meeting a couple of big storms had happened, and the Ford 750 broke down. Five parts of this machine broke, and it was taken to Campbells for repair, which cost \$6,000. It was brought back on Thursday. It was taken out on Friday, and this time its DEF containment system broke. The computer in the engine indicated that the DEF was not going into the fuel tank of the truck, and the truck was taken back to Campbell again. The storm was a pain, as the snow kept being followed by freezing rains and sleet. Both storms happened on holidays, but the road crew did an excellent job. They continued keeping materials on roads, as materials kept being blown away by speeding drivers. He added that he himself had checked roads during those storms, and there were no accidents in any of the township roads. He had posted road conditions in the unofficial township website, and people appreciated it. Penney suggested budgeting for a new truck in the following year. Rachel asked Gary to bring the existing debt information to the next meeting. Gary added that this truck has a good transmission, and its mileage is 30,000 only. The model 96 Kodiak is old school, and it is hard to find parts for it.

Zoning:

The Zoning Officer reported that he had received an application for a well permit. He explained that this is a second well in that property, which has eight and a half acres, and is probably owned by Mr. Tom Murante. Apartments in that building are stressed, as those are served by only one single well. This second well would be 260’ away from the existing well, and 100’ away from other property lines. Supervisors’ permission would be needed to drill a second well, as the ordinance allows only one well for a single property, since building a well too close to the neighbor is prohibited. Rachel inquired if any complaints of dry wells had existed for that *area*, and Shawn replied ‘no’. Mr. Williams added that there were no properties with wells close to Mr. Murante’s property. The Solicitor added that the well would have to be 100’ away from the septic also. Shawn said that he would check on the site plan. Mr. Williams made a motion to allow putting a second well in Mr. Tom Murante’s property. He made another motion to get the site plan of that property and confirm that the distances from the other well and septic meet the requirements before issuing the permit for this well. Penney Luhrs seconded both motions, and those passed unanimously.

Public Participation #1:

None

Correspondence:

Shahana presented correspondences including Planning Board, Pennsylvania Office of Consumer Advocate, Pocono Mountains Visitors Bureau, Farley & Bernathy, LLC., Milford Borough, Pike County Area Agency on Aging, Solicitor, PSATS

Rachel Hendricks commented that the PSATS news indicated that Municipalities would be allowed to spend the COVID-19 stimulus money until December 31, 2021. She added that a new stimulus bill might come in this year. Gary said that he would gather more possible COVID-19 expenditures, such as, no touch fixtures for the bathrooms.

The Solicitor explained that the Township needed to get a list of active members and sanctioned events of the fire department, as according to Senate Bill #94-2019, members, who were even just handling fundraising or support events such as auxiliary members, would be considered as active members, the auditing company would audit it, and fire companies know

about it. He added that he could send a letter requesting this list. Mr. Stroyan inquired if the workers' compensation would consider all kinds of sanctioned events, such as doing Bingo or holding buckets, and the Solicitor said 'yes'. Gary M. Williams made a motion for the Solicitor to send a letter to the President of Milford Fire Department for providing monthly updates of their members and sanctioned events, Penney Luhrs seconded, and it passed unanimously.

Old Business:

a. Adoption of Resolution - Kirk, Summa & Company for Fiscal Year 2021:

Gary Williams said that he would number this resolution as 01-2021, and he made a motion to appoint this company to audit the Township finances of the year 2021 at the rate of \$4,200, Rachel Hendricks seconded, and it passed unanimously.

Act 537 Draft – Comments, Concerns, and Questions from Planning Board: Penney thanked the Planning Board for doing a diligent job. She continued that these comments, concerns, and questions were already delivered to Milford Borough, but some points needed to be tweaked. The Solicitor added that these comments needed to be delivered to HRG also. He continued that HRG would need to know the changes that Supervisors wanted in this Draft. Milford Township has not held or advertised any public comment periods yet, and the OLDS ordinance could be done any time. Rachel added that the Planning Board had asked the Secretary to send it to rest of the three Municipalities, County, DRBC, DEP, Milford Municipal Authority, and Westfall Municipal Authority. She further added that the Secretary had sent it to Milford Borough only, but she waited per Penney's request for the Board of Supervisors to discuss at this meeting. Penney added that the Planning Commission traditionally comes to the Board of Supervisors before sending correspondence. She further added that Milford Township and Milford Borough needed to be on the same page. Rachel said that asking HRG to make changes to the draft might necessitate making more changes, but the door might be closed for subsequent updates. The Solicitor said that the Planning Board was granted an extension of 60 days, and another extension was requested after that. He inquired if the Township had received any response to the latter request. Shahana said that Mark Spatz had sent a small reply of 'received' only. Rachel added that HRG could be asked to attend Planning Board meetings to answer these comments and questions, and they would have to be paid \$200 for attending each meeting. The Solicitor said that these comments and questions needed to be directed to HRG, and a workshop session could be scheduled to answer these legitimate questions and comments. Rachel expressed concern that a half hour of verbal conversation with HRG during a works session would be inadequate to address the numerous comments and questions. Rachel made a motion to forward comments, concerns, and questions to HRG with an inquiry about the procedure for changes, and if changes could be made on an ongoing basis. Penney seconded this motion, and it passed unanimously. Rachel added that the basic question would be how many times the township would be able to go back to HRG for making updates.

Fred Weber commented that Delaware Riverkeeper Network also had sent its comments regarding this Draft to HRG and Milford Borough. Faith Zerbe from Delaware River Keeper Network commented that they had very similar concerns, and they would send their comments to DEP, DCNR, and County Planning Commission also. She continued that there is a small portion of the river that is not "Wild and Scenic." DRBC had designated some areas as special protection water, which has an impact on the discharge of the Sewage Treatment Plant. DRBC has set some

rules and regulations for the amount of this discharge. A pipeline had gone across, and they had to curve its passage, as they had tried to avoid the “wild and scenic” area of the river. Mr. Williams added that the wild and scenic portion is close to the Bridge in Sparrowbush, and it spans to Roberts Lane. Ms. Zerbe added that the extension pipe might need to be run through some high-quality streams, and it might cross the Sawkill Watershed of Milford Borough. Kevin Stroyan inquired what authority HRG has to set times for reviewing this Draft. The Solicitor replied that that’s why it was important to sit with HRG for a discussion.

New Business:

None

Public Participation:

Ms. Hendricks said that Mr. Tim Knapp had sent the schedule for COVID-19 testing. It was scheduled for the week of the 12th, 13th, and 14th of that month at the Park and Ride in Dingmans Ferry. Insurance cards and identification cards would be required for these tests, and there would be no cost for these tests.

Mr. Stroyan informed the Supervisors that in the past Planning Board meeting, Mr. Fuller had made an informal presentation for the proposed addition to Econopak. He continued that the conditional use for Econopak was made back in 2011, it was a multi-use property back then, and this conditional use was never modified after that. The conditional use needed to be seriously looked at, as new owners did not inform the township about recent changes they had made. No vegetation exists on that property, maps and/or photographs of vegetative buffer should exist in township, and the Secretary or the Zoning Officer needed to research it. The entry of loading trucks from 84 through Route 6 & 209 is mentioned in this existing conditional use, and it is important to consider residents’ rights. Ms. Hendricks commented that she recalled the previous owner indicating they had tried to maintain the vegetation as previously directed, and it died. Mr. Williams recalled that the issue was reportedly related to road salt.

Executive Session

After the executive session, Mr. Williams directed the Secretary to ensure that Zoning permits would have to be issued before issuing commission checks for these permits.

There was no other business or executive session needed. Penney Luhrs made a motion to pay the bills and adjourn, Gary M. Williams seconded, and it passed unanimously. Adjournment was at 8:30 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer