

**MINUTES**  
**February 1, 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 Chairperson 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, 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 \$ 214.89 from Pike County Tax Claim Bureau, \$83.98 from Code Inspections, and \$4,900.00 from Zoning. She also reported the account balances as \$77,383.08, \$26,702.80, \$42,004.63, \$7,834.85 and \$90,229.95 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 there had been a big snowstorm, and the road crews had been cleaning the roads since the previous day. He continued that he had taken several tours throughout the Township since then, and there had been no road accidents. The DEF sensor of the Ford 750 was fixed at Ray's, and it cost \$2,800. The power take off would be fixed once the snowstorm is over. The loader has a little problem, and Pine Bush Machinery would be there to fix it.

**Public Participation #1:**

None

**Correspondence:**

Shahana presented correspondences including HRG, Delaware Water Gap NRA, Pike County Commissioners Office, U.S. Census Bureau, Solicitor, and PSATS.

**Old Business:**

**Act 537 Plan Draft – HRG Correspondence in reply to Planning Board's comments, Questions, and Concerns (Highlighted Updates and Administration of Sewage Planning):**

Rachel said that some modifications were incorporated into the draft of the Act 537 Plan as a result of the Planning Commission's comments, but this draft response to the Planning Commission references changed that were not made in the revisions sent to us, therefore it needed to be sent back to HRG. She continued that the response of #4 and #8 should be that no public sewer connections are anticipated in the Township *initially*, and we are all on the same

power system and capacity limitations and planning will affect all of us. Will Comments #9-18 be responded by other municipalities?

HRG should respond to Comment #12 or forward the response of the entity that will be responsive, as we do anticipate that new development may choose to hook in and in fact 4.6.1 indicates if the public sewer is accessible new development will be required to hook in, therefore pricing is a valid concern for the future of the Township and planning for the future is the entire purpose of this exercise. Comments #13 and #14 of the Planning Board had expressly asked for recommendations regarding planning for new development within the system. The Board of Supervisors (BOS) cannot own HRG's answer to comment #20. This Board is aware of a well for Wheatfield Village which well house does in fact front directly along the proposed path of this planned transmission line. The BOS cannot indicate "we were unaware."

She reiterated that the response from HRG had mentioned some changes that were incorporated in light of the Planning Board's comments, but those changes were not incorporated in reality. The Planning Board's comments #22 and #25 were not incorporated into the revised material, which HRG had sent back to the office. The response to comment #32 was that the Planning Board's comments were sent to Westfall Township for their consideration, and it seems quite unnecessary to respond in that manner. The Price Shopper was corrected to Price Chopper in response to this specific comment, and they could have just said that "the typo was corrected". Penney added that Milford Township would just be a transmission line, all connections to this transmission line would be voluntary, and Milford Borough would be able to receive the Central Sewage. Rachel said that question #34 was about a low-pressure system producing odors, and the answer to that comment was that the Central Sewage would just be a transmission line for this municipality, which has taken the no action alternative. She continued that this answer was not adequate. The Planning Board had questioned about manholes in their comment #37, and Mr. Spatz' response of #45 would rather fit to answer that question.

Rachel said that the response for comment #37 stated that there would be no sewer service fees, as no connections to this sewer line are anticipated. She added that a more complete answer is needed, as eventually connections to this transmission line would happen. Penney said that this Township would not own any financial responsibilities, and there would be no mandatory connections in this Township. Rachel said that 4.6.1 stated that connections to the transmission line will happen from future developments. She continued that developers would want to connect if there is capacity in Westfall Municipal Authority, and the Township won't be able to say 'no' to these developers as long as those developments satisfy the Zoning Ordinance. The draft of the plan does not clarify how this future development would be handled, and Delaware Valley School is an example. This school needed more capacity than they had anticipated, and this case might happen to properties that connect to the transmission line. DEPG had proposed a development, which was based on connecting to this transmission line. The Solicitor replied that Authorities submit chapter 94 to DEP to explain the needed capacity for the next five years. He continued that capacity is being reserved for the two boroughs and Westfall Township, and not for this Township. Usually, the requirement for an upgrade is reaching 20% of the hydraulic capacity. Not much capacity would be left for Milford Township if the rest of the Municipalities and the school connect to this transmission line. Ordinances would need to be developed, as there may not be enough capacity for voluntary connections. For the no action alternative, connecting to this transmission line would not be mandated, and property owners would have to go to Westfall Municipal Authority to check for the availability of capacity. Property owners would be responsible for the cost of their own grinder pumps and for bringing

the line to their properties. Rachel commented that the cost of grinder pumps was supposed to be a part of the project. The Solicitor replied that grinder pumps won't be a part of the project if connections are not mandated, and there would have to be a voluntary connection ordinance for this Township. Penney added that there may not be any gallonages left for Milford Township either. She continued that if big businesses decide to connect to the transmission line, they will have to get the planning module for this connection, and they would be financially responsible for their own connections, as this Township is not putting its skin into this game. Milford Borough is working on the cost of this transmission line, and they are working on making businesses connect.

Rachel said that the question for the financing was not answered. Penney commented that Milford Township was not part of the financing, and Rachel said that it was still important to understand it. Rachel commented that the situation looked like this Township had to engage in this project just to help the Borough. She continued that helping the Borough was not a problem, but the response from HRG gives a feeling such as, "it's not your problem, you're just a transmission line, and we do not need to answer your questions". Bill Pitman commented that the Planning Board had made 70 valid questions, which should be answered. Penney replied that the response from HRG included the answers that pertained to this Township. She continued that the Borough would extend the sewer anyway even if this Township wants it or not, and this Township might be taken out of the Act 537 Plan. She was being pushed to sign something that would make this Township liable, and she wanted to stay away from signing anything like that.

Rachel said that the Supervisors' response to HRG's #46 answer would be that "no municipal paving would be expected in Milford Township". She continued that the Planning Board's comment #48 inquired how the Borough would subsidize the cost of tapping fees for customers, and it was not answered. This Township might want to consider the same grant funding source to subsidize its customers, and HRG is reluctant to answer this question. Comment #50 of the Planning Board inquired if residents could be told to limit laundry to only one/day if the system reaches close to the capacity. Penney replied that restrictions are often expected in other areas also, such as asking not to turn lights on when close to capacity. The Solicitor replied that hydraulic overloads usually don't happen, as upgrades are planned five years before it nears capacity. He continued that new uses are restricted when sewage capacity is reached, and issuances of new permits might be restricted until upgrades are done. If there is a change in the sewage plan, then developers would be asked to come back later with their planning modules, and these planning modules would be reviewed by the Sewage Enforcement Officer. Rachel said that this implies that developers, who want to develop along the three-lane, would be able to go ahead with OLDS. She continued that another question from the Planning Board was where along West Harford Street the transmission line would stop, and the reply from HRG was that it was not part of Milford Township planning area. The Planning Board had asked this question, as some portions of Harford Street are in Milford Township. The response to comment #67 was that comments were sent to the Borough while the comment was about Milford Township. Chapter seven is incomplete, stating in several places "More Information is Needed from the Milford and Matamoras Authorities", and section 6.2.5 of socio-economic impact does not contain any supports for community viability statements. This section states that there would be a public health crisis, and that is an exaggeration, as no support is provided for this statement. Table 8.3 is the summary of financial assumptions, and it states that the reserve fund of Westfall Township would be used for the capital improvement, but it does not state how

much the amount of that reserve fund is. Rachel said that she would be ready with all these comments at the public comment hearing.

Penney said that she had seen municipalities die as restaurants close from not having central sewage. It was agreed that these comments and questions would be forwarded to HRG for further clarification and the matter would be taken up again at the next meeting.

**New Business:**

None

**Public Participation:**

Fred Weber said that he supported the idea that the response from HRG should have been more complete. He inquired about the status of Econopak's application. Rachel replied that the Planning Board had not accepted their application, as it was still incomplete. The Engineer of the applicant had attended the Planning Board meeting, and Members discussed the conditional use from previous applications of this property, truck traffic in the Borough, fencing, and vegetative screening with him. The Solicitor added that Econopak would have to get permission for conditional use from the Board of Supervisors, as this business was primarily a conditional use. Bill Pitman inquired if there could be a three-way stop at the Wheatfield Drive. Mr. Williams said that that road is a private road, and the Township has no control over it.

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 8:02 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer

