

## MINUTES

August 2, 2021

**Hybrid Workshop of the Board of Supervisors (Zoom ID was advertised in advance in the Pike County Dispatch)  
560 Route 6 & 209  
6:30 p.m.**

**117 Milford Hill Lane:** The owner of the new school at this address did not apply for a conditional use, but they called, informed the Secretary that they wanted to start the new school on September 7, 2021, and they came to see the Zoning Officer afterwards. A daycare and a summer camp use were already in place, and this application would be a very similar one. There were two conditional uses that previous owner had applied in the year 2015, one was in August and the other one was in November. According to that conditional use, the hours for the morning session is 9:00 A.M. – 12:00 P.M., the afternoon session is from 1:30 P.M. – 4:00 P.M., and a second use of the church was added afterwards. A new conditional use for this new owner may not be needed, as a private school is already in the conditional use. The Zoning Officer has the November of 2015 letter, which would dictate if another permit is required for this new school. Ms. Hendricks referenced a summer camp in Walker Lake, and its instructions are in foreign languages with outdoor loudspeakers. She continued that they are driving through the community at high speeds, and unattended children are running around in the woods and trespassing. They are not listening to the neighbors, and they are even passing through private properties. She indicated that the Milford Hill neighbors have already been in touch with the Township asking for conditions that would prohibit those kinds of impacts on the neighbors. Mr. Magnotta indicated he would have to look at the original conditional uses.

**Winter Maintenance Agreement:** Mr. Williams said that there was a 2% raise this year.

**Extension of Building Permit:** Billy Shi's permit will be null and void on the 28<sup>th</sup> of August. Under the Uniform Construction Code, neither Joe, the Building Officer, and nor this Board can extend a construction permit. Only the Building Appeals Board, which existed jointly with Dingman Township in the past, can extend this permit. Joe can issue an amended permit. Three people are required to form a Building Appeals Board.

**EMS Funding:** The County will get \$11 Million in ARP funding, and it can be spent by 2024. The County will match the money municipalities are spending on EMS, as there is a tension about each paying municipality's money being spent when the Ambulances respond to calls from other Municipalities. This match from the County would add to more paid service, this money would go to Municipalities, and not directly to Ambulances. Dingman Township would get \$700,000 from this proposal, as that Township had reported that they had spent \$700,000 for the ambulance. All Municipalities should have all the information about where the ambulance is responding to, and Milford Township should lobby Westfall Township and Shohola Township while these Municipalities are not giving any money to the Ambulance. Municipalities are realizing that they can't get a match from the County, unless they provide some EMS funding, such as the referendum or general fund spending. Matamoras has a contract with Port Jervis for \$25,000 for 24/7 coverage, and it's a five-year contract. Each municipality has to file their report for their plan to spend the County match by October 1, 2021.

**MINUTES**  
**August 2, 2021**  
**Hybrid Meeting of the Board of Supervisors (Zoom meeting ID was advertised in advance**  
**in the Pike County Dispatch)**  
**560 Route 6 & 209**  
**7:00 p.m.**

A scheduled meeting of Milford Township Supervisors was called to order at 7 P.M. by Chairperson Penney Luhrs. Also present in person were Vice Chairperson 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.

**Treasurer's Report:**

Shahana reported that since the last meeting she had received \$300 from Zoning. She also reported the financial institution account balances as \$250,939.88, \$26,252.08, \$24,775.12, \$8,190.76, and \$153,342.70 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 after the previous meeting, the mower was down, and it was fixed. He continued that a private contractor would give prices on 320 ft pavement repair on Foster Hill Rd. He received a proposal of \$7,300 from Leeward to do the shoulders on Schocopee after paving, which would be done the following week hopefully. According to PennDOT, this contract does not have to go through the bidding process, as it is less than \$10,000, and also, 10% of the bid can be paid out of Liquid Fuels account. He made a motion to accept this proposal, and to pay \$6,570 and \$730 from the Liquid Fuels account and the general account respectively. Ms. Luhrs seconded the motion, and it passed unanimously. The Solicitor said that for September and subsequent meetings, these kinds of expenditures would have to be listed in the agenda 24 hours prior to the meeting as the new law goes into effect

**Public Participation #1:**

Mr. Bill Pitman inquired if the shoulders would be prepped and swept in the Schocopee road project, or just the tar and chip would be put over the existing vegetation. Mr. Williams replied that there would be 150 Tons of modified on the shoulder, then it will be oiled, and it will be 2 ½ inches thick. Extra money was being spent on the oil so that it got a better hold and it stayed longer. Mr. Don Quick complemented the road crew for maintaining Schocopee Road, and he thanked the Supervisors for helping him with his project.

**Correspondence:**

Shahana presented various correspondences received, including from Leeward Construction, Delaware Gap National Recreation Area, FCA, Econo-Pak, PennDOT, Pike County Commissioners, Pike County Conservation District, PIRMA, Planning Board, PSATS, Shohola Township, Solicitor, TOPP Business Solutions, and the Zoning Officer. Ms. Hendricks instructed the Secretary to circulate the Pike County Official's Annual convention letter to the Planning Commission Members so that they could inform the Board of Supervisors if they would like to attend. She also asked the Secretary to post the Hazard Mitigation survey on the Emergency Information page of the website and to add disbursement of funding to Ambulance into the next meeting's agenda, as the Fire Department Ambulance had provided all the information that was requested. She added that she had been working with Ms. Emanuel and Mr. Stroyan on the Hazard Mitigation worksheets, and they had already completed about two-thirds of the work. She continued that there were no shower facilities in the Township building, and hence it could not be used as a shelter which was one of the goals from the previous plan. The Supervisors agreed that this need not be a goal for the plan update as the Firehouse would more typically be used for that purpose. She inquired if the Township needed to purchase anything to be storm ready. Mr. Williams said that he is always ready with materials for emergencies, and Pike County Training Center is also always ready with materials. Rachel added that coordination with the utility company is important, as situations such as, having live downed power lines while the ambulance is trying to come need to be avoided. She further added that Mr. Stroyan had informed her that he did not have any updates on the County Planning meeting, as it was canceled.

#### **Old Business:**

##### **a. Fire Department Ambulance Report – Presentation from Terri Christensen:**

Ms. Christensen said that she was an EMT from the Fire Department, she was a first-grade teacher, and she volunteered her time. She continued that she gets calls even on Saturday nights, when she's doing the dishes. She thanked Milford Township for what it had offered, and she showed the paid staff calls, volunteer time calls, and QRS calls with pie charts, which displayed all the Municipalities that they had been servicing from January through July of the current year. They know that Milford Township, the Borough, and Dingman Township had provided funds. She explained that they take calls of interstate accidents, heart attacks, and strokes, and it's hard, but quite gratifying, as she had grown up in this area. Saturday and Sunday nights are often not covered, they were hoping to get a 24-hour coverage by the end of the year, and it would be a blessing. Dingman Township, Matamoras Borough, Milford Borough, Milford Township, Orange County, Shohola, Sussex, Westfall, and Delaware got 37%, 2%, 21%, 20%, 2%, 8%, 1%, 7%, and 2% of their time respectively. QRS call means quick response, and the Fire Department does not have a QRS team, as they are not licensed to do so. If the Dingman's ambulance is out, then they even cover, and they get a second call during that time, which becomes pending. They had received a \$10,000 check from Shohola for the second quarter, but that was less than what they had done in the first quarter when an error on their part resulted in no funding to them from Shohola.

Ms. Hendricks said that the County was planning to match the amount that each Municipality was spending, and this Township had put up two mils for ambulance. She continued that Dingman Township and Shohola Township would be matched with, and Municipalities would have to inform the County about how this money would be used by

October 1<sup>st</sup>. There would be a meeting with Dingman Township, Shohola Township, Milford Borough, Milford Township, and probably Westfall Township to discuss how Municipalities could kick in, hopefully to come up with a 24/7 paid service. Data is required, but that would take time. This Township was hoping to get its match by the end of the current year. Ms. Christensen said that they had started training on Monday nights, and the training officer is trying to bridge the gaps between personalities, as companies don't get along well with each other. She discussed the difficulties of the position and indicated that it was hard when they lost patients as she had lost two just last week. Mr. Dibiasi told her not to be upset, as they save a lot of lives. Penney suggested providing this type of report every month. Rachel added that each Municipality will be responsible for accountability for these funds, should get the same report, and it's important that each Municipality contributed their fair share.

- b. **EMS Appreciation Proclamation for 2021:** Ms. Hendricks made a motion to adopt this proclamation for the month of August, Mr. Williams seconded, and it passed unanimously.
- c. **UGI – Recommendation from the Planning Board:** Penney said that a hearing for this application would have to be advertised for the meeting of September 7, 2021. The Solicitor said that he won't be able to attend this meeting, and he asked the Supervisors to approve this application contingent upon a letter of adequacy from the Conservation District and the Highway Occupancy Permit. Ms. Hendricks made a motion to advertise for a conditional use hearing for this application for September 7, 2021, 7:15 P.M., Mr. Williams seconded, and it passed unanimously.
- d. **Winter Maintenance Agreement with PennDOT:** Mr. Williams said that this agreement is automatically renewed as soon as it is approved, and they had been doing it for the past ten years. He added that it's for ploughing four-tenths of a mile on Bennett Avenue and 4.33 miles on Seventh Street by Foster Hill. He further added that this year they had given a two percent increase, and the total was \$5,882.52. He made a motion to renew this agreement, Ms. Hendricks seconded, and it passed unanimously.

#### **New Business:**

- a. **Econo-Pak - Deny or grant an additional extension requested by the engineer:** Ms. Hendricks said that Mr. Fuller, the Engineer for Econo-Pak, had requested for an extension of its expansion application for 90 days. Rachel made a motion to approve extending the deadline of this application for an additional 90 days, Mr. Williams seconded, and it passed unanimously.
- b. **TOPP Business Solutions – Canon Copier Proposal:** Penney said that this purchase would be through Costars, and hence no bids would be required. Mr. Williams added that they provide good maintenance services. Penney added that purchasing would be a better option than leasing, as the Township was doing okay with its budget. Rachel added that maintenance would come with the purchase, and the billing rate would be a fraction of a penny/black and white page and 5 cents/color page. Rachel made a motion to approve purchasing a new copy machine from this company for \$3,659 including the maintenance agreement, Mr. Williams seconded, and it passed unanimously.
- c. **County plan for ambulance matching services:** Supervisors discussed that the goal is to obtain a 24/7 paid coverage, and that implied that the matching amount from the County needed to go to the Milford Ambulance. Ms. Hendricks made a motion to notify

the County that the goal with the matching ambulance funds is to put those funds in the hands of the Milford Fire and EMS to increase paid service hours, Mr. Williams seconded, and it passed unanimously. Supervisors said that a joint meeting with Milford Borough and Dingman Township would need to be approved at the next meeting.

### **Public Participation #2:**

Mr. Fred Weber inquired if Econo-Pak was granted 90 days to resubmit their proposal. Rachel replied that the 90-day extension meant that Econo-Pak would get 90 more days to continue their work on their proposal with the Planning Board. Mr. Weber commented that the Planning Commission had asked them to open their back entrance, which is by Old Milford Road. He added that that entrance was covered with dirt, and weeds were growing out it. Rachel replied that that was one of their original conditions. Gary added that that back entrance was for the fire access, and he had asked them to close that entrance, as employees were using that entrance. Rachel added that the representatives of Econo-Pak had mentioned a theft when the Planning Commission asked them to open that back entrance. The Solicitor added that there had been three different conditional uses in that property, and hence, the original conditions may not be in place anymore. Rachel added that Planning Commission might not be aware of that, and it should be communicated to them. She asked the Solicitor to check with the Zoning Officer if that condition was still in place. Bill Pitman said that the Planning Commission had discussed this matter a few months ago. He added that Econo-Pak could cleanup that exit, put a lockbox there, and give the key to the Emergency people. Rachel added that another 125,000 square feet was being added in that property, trailers will be parked, and Mr. Magnotta indicated that entrance could be blocked anyway if the conditions are not set carefully to prohibit that.

Mr. Vito Dibiasi said that friends of the Milford Aquifer is asking for a complete freeze of the Shepstone's Ordinance until they are invited to the table. He continued that by "they" he meant representatives of the friends of the Milford Aquifer, Delaware Riverkeeper Network, and Catskill Riverkeeper. Charlie Shmehle ordinance was also sent in, but the structure of the wellhead ordinance did not change. The Gidding's study needed to be added to this ordinance in a meaningful way, and it should not be overridden by a developer's study. The watershed and the aquifer are two different things, and the aquifer is in the watershed zone. The watershed is a confined aquifer, and that means that there are layers of rock beds. The unconfined aquifer is the two-and-a-half-mile zone from the springs, and it is totally different than the watershed. There is only sand and gravel in this area, no layers of protection, and any contaminants will go straight into the water. The Gidding's delineation is two and a half miles from the springs, and it doesn't need to be delineated again. Zone C should not exist in the unconfined aquifer, and all the yellow-colored conditional uses in zone C in this ordinance are unreasonable.

Penney said that a big area is under discussion, people's rights to use properties cannot be taken away, and the other option is to buy all those properties. Rachel added that the Planning Commission had requested a change in this ordinance, and it is based on the Riverkeeper's comments. She continued that it would allow a developer to come forward with new information, but they would have to prove that whatever they do is not going to damage the water,. The Solicitor added that the normal steps include requiring commercial developers to provide a hydrogeologic study and an environmental impact report which includes the impact on the water. Rachel added that the Water Authority is excited, as this ordinance prohibits storing more than 35 gallons of contaminants on a property. She further added that Dingman Township had done

55 gallons for this case, and it prohibits putting gas stations on top of this unconfined aquifer or on the watershed.

Mr. Weber inquired how much protection does a conditional use offer. The Solicitor replied that it is a type of use that is allowed with conditions, and the developer would have to show in conditional use hearings that his development won't alter the central character of the neighborhood and he won't be performing a function that would endanger the health, safety, and welfare of people in the neighborhood. He continued that the Board retains the right to add further restrictions on top of it. Hours of operation of a store is an example, and that ensures that they don't make too much noise. He had seen the preliminary version of this ordinance, it's an overlay district, which means that in a certain area, additional restrictions are being added, and it would supersede the Zoning. Rachel added that it's large area, not just along 84 and Route 6, and hence saying 'no' to all kinds of uses cannot be done. Mr. Dibiasi said that the red-colored uses of Shepstone's Ordinance can be done on the Gidding's aquifer, and not the entire watershed. The Solicitor said that the Zoning is already restrictive, and when an additional restriction is added on commercial properties so that they can't develop, then those properties would have to be bought. Mr. Dibiasi said that the Pennsylvania Constitution allows the residents to get pure water, and hence these two should to be balanced.

There was no other business or executive session needed. Mr. Williams made a motion pay the bills and adjourn. Adjournment was at 8:30 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer