

MINUTES

December 5, 2022

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 7:00 P.M. by Vice Chairperson Rachel Hendricks. Also present were Supervisor Gary M. Williams, Solicitor Anthony Magnotta, Zoning Officer Shawn Bolles, and Secretary/Treasurer Shahana Shamim.

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

Treasurer's Report:

Shahana reported that since the last meeting she had received \$2.00 from a Right-to-Know request and \$670.00 from Sewage. She also reported the financial institution account balances as \$220,935.34, \$150,619.44, \$23,612.88, \$30,342.51, \$15,326.82, and \$125,932.20 in Wayne Bank (Investment), Wayne Bank (General), Wayne Bank (Payroll), NBT Bank, PLGIT (General), and PLGIT (Liquid Fuels) accounts respectively.

Roadmaster:

Mr. Williams, the Roadmaster, said that the F750 truck got repaired in New Jersey, and it cost a little more than \$1,000. He continued that some expensive sensors needed to be replaced, and it's ready for the winter. The salt shed was full, he would order another load of antiskid, and then they will be ready for the winter. The new truck will come by the end of December.

Gary said that Jeff Mackey has the CDL license, he is working fulltime for Milford Water Authority, and he had done a lot of plowing for another company also. He made a motion to hire Mr. Mackey as an on-call snowplow driver for \$21/hour, which the other experienced CDL snowplow drivers are receiving. Rachel seconded the motion, and it passed unanimously.

Zoning:

Mr. Bolles said he had issued two Zoning permits the previous month, one was for a structural alteration, and the other one was for a sign. He added that he had done an enforcement notice, he needed to speak with the Supervisors about the civil action that would have to be taken for it, and hence the discussion needed to be held in an executive session.

Public Participation #1:

None

Secretary's Report:

Shahana presented various correspondences received, including from Pike County Conservation District, Upper Delaware River Region, Girl Scout Leader, Liability Insurance, and Pike County Assessment Office.

Old Business:

a. Act 537 Plan – Advertising cost split bill for Act 537 Hearing - Matamoras Borough: Rachel said that Matamoras Borough had sent a split cost of \$175 for advertising the Act 537 Hearing, and she made a motion to pay this bill. She also made a motion to send a letter to the other three Municipalities and two Authorities indicating that no future shared expenditures shall be paid on behalf of Milford Township without prior advance written authorization. Gary seconded her motions, and those passed unanimously.

b. Econo-Pak - Developers Agreement: Rachel made a motion to table this item until a follow-up from Econo-Pak is received, Gary seconded, and it passed unanimously.

c. Planning Board Recommendation: Amendment to the Zoning Ordinance 407.2: Rachel made a motion to table this item at the next meeting, as the Solicitor didn't have time to review it, Gary seconded, and it passed unanimously.

8. New Business:

a. Request for Girl Scout cookie drive thru - February 25th, March 4th ,11th ,18th and 25th: Rachel made a motion to approve this request pending receipt of their certificate of insurance, Gary seconded, and it passed unanimously.

Executive Session:

Rachel made a motion to recess into an executive session to discuss a potential litigation with a resident in the Township regarding a zoning enforcement matter, Gary seconded, and it passed unanimously. After the executive session, Rachel made a motion to reconvene the Supervisors' meeting, Gary seconded, and it passed unanimously. The Solicitor said that this matter is still under investigation, and the litigant's name doesn't need to be declared. Mr. Bolles said that it was regarding an encroachment issue about the property at 110 Chippy Cole Road, it's 7 feet 5 inches off the property line, and it's supposed to be 25 feet. He added that he had sent the violation notice, he would send the enforcement notice also to inform that it would be proceeding, and that would give him 30 days to appeal. Mr. Bolles further added that if he doesn't come into compliance, then civil proceedings would have to be initiated.

Conditional Use Hearing – Nonconforming addition and extension - Joseph Barth: Rachel made a motion to recess the supervisors' meeting for Mr. Barth's conditional use hearing, Gary seconded, and it passed unanimously. The Solicitor said that Mr. Barth had filed this conditional use application, and it is for the addition and extension of a nonconforming use, and according to the Zoning Ordinance it's a conditional use. He continued that this Hearing was advertised in the Pike County Dispatch on November 17 and November 24, that would be Exhibit #1, and the property was posted with the same notice. The application and the plan were available in the office for review for anybody who wanted to review it, and that would be Exhibit # 2. The applicant had notified all the adjoining neighbors within 200 feet about the date and time of the Hearing via certified mails, he had submitted the postal receipt as a proof that the money was paid, and that would be Exhibit #3. The Planning Commission had reviewed this matter, they had issued a letter recommending approval to the Board of Supervisors, and that letter would be marked as Exhibit # 4. Nobody showed up to be a party for this Hearing, aside from the applicant.

Mr. Barth was sworn in by the Court Reporter. He said that the driveway approximately cuts the property into half, he lives in the two-bedroom ranch style house on the left, and the

other side is a one-bedroom house. He added that there is a two-car garage also. In reply to the Solicitor's inquiries, he said that he wanted to modify the left ranch. He continued that probably the house was originally a rectangular ranch, and the addition would be towards Bennett Avenue. The current setback from the property line is seven feet, and he would continue with that nonconformity. The existing 10' by 12' kitchen/dining would be removed, and a 20' by 24' kitchen/dining would be added. This addition would be for enjoying the property, no other alterations would be made on the property, and the other side of the residence and the garage would stay the same also. Mr. Stroyan confirmed that the Planning Commission did not add any conditions for this Hearing, as this use was not becoming anymore nonconforming.

The Solicitor clarified that the word "nonconforming" meant that it didn't comply with the current Zoning Ordinance, but it was legal when it was originally done, and in this case, Mr. Barth is staying within the seven feet nonconformity. Mr. Bolles said that he had been the Zoning Officer of this Township since 2017, and he confirmed that he had posted the property for this Hearing. He added that he had reviewed this plan in light of the Zoning Ordinance, he did not have any questions or problems with the plan, and it would not make this property more nonconforming.

Rachel made a motion to close the Hearing and to reconvene the Board of Supervisors' meeting, Gary seconded, and it passed unanimously. She made a motion to approve this application, Mr. Williams seconded, and it passed unanimously.

Public Participation #2:

In reply to Rachel's inquiry, the Solicitor said that the Zoning Hearing Board (ZHB) will reach a decision for the LVL Engineering's matter on the 15th of this month. Rachel asked Shahana if this schedule was advertised, and Shahana said that the ZHB Solicitor had said that this schedule was declared at the November 10th ZHB meeting so that it didn't need to be advertised. Rachel said that the Board of Supervisors had approved advertising for this schedule. The Solicitor said that the Board of Supervisors had approved advertising for the continuation of the Hearing. Rachel reminded Shahana to advertise this schedule, as there is a lot of interest on this matter, and a lot of people may not know this schedule.

There was no other business to discuss. Rachel made a motion to pay the bills and adjourn, Gary seconded, and it passed unanimously. Adjournment was at 7:29 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer