

MINUTES

June 5, 2023 Hybrid Workshop of the Board of Supervisors (Zoom meeting ID was advertised in advance in the Pike County Dispatch)

560 Route 6 & 209

6:30 p.m.

Short Term Rentals: The Supervisors discussed that short term rentals are a very hot topic around the state, and it is not included in the Zoning Ordinance of this Township, yet. The Zoning Ordinance has definitions for family and dwelling units. Short term rentals need to be regulated as this use potentially impacts the neighborhood, and it may not be good for health, safety, and welfare due to potential traffic and noise. These rentals can include anything with overnight lodging for 30 days or less, including housekeeping cottages. The Planning Commission has taken the first step by creating a draft ordinance, and the Board of Supervisors has received this draft from them, but it is not yet ready for County review or public hearing.

The Solicitor stated that a 24-hour contact information must be provided to enforce the ordinance, and a third party will need to be hired to handle these applications. This Township has a part-time zoning officer and a part-time sewage enforcement officer, and the Supervisors do not have enforcement authority. The building code officer is a third party. The Secretary was asked to obtain the Word document of this ordinance so that comments can be incorporated and sent back to the Planning Commission.

National Land Developers: The school auditorium is not available for the June 22nd Hearing, it could be held at Best Western, and it will have to be advertised. This time it would be done without zoom as Best Western is not able to accommodate that and the fee is significantly less expensive than the Milford Theater's price.

Quickbook: The transition to online Quickbook is gradually happening, and hence the computer update doesn't need to be discussed. The other computer, which is 64-bit will be able to run Quickbook 2023.

The Secretary was asked to send the job box definition in the resolution format and the revised ordinance to the County for their comments, as they requested.

MINUTES

June 5, 2023 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 Chairperson Rachel Hendricks. Also present were Supervisors Gary M. Williams (Vice Chairman) and Robert Di Lorenzo, Solicitor Anthony Magnotta, and Secretary/Treasurer Shahana Shamim.

Rachel made a motion to amend the agenda to include two items “Request from Shohola Dollar General for the reduction of their bond” and “Definition of the Job Box – County comments”, as these two correspondences were received late. Gary seconded the motion, and it passed unanimously.

Gary made a motion to approve the minutes of the May 17th meeting, Rachel seconded, and it passed. She added that there will be a transcript for the May 22nd hearing.

Treasurer’s Report:

Shahana reported that since the last meeting she had received \$100 from Zoning, \$125 from Pike County Board of Elections, \$70.00 from code Inspections, \$175 from Sewage, \$349.39 of state police fines were directly deposited into the PLGIT General account. Interests deposited into Wayne Investment Account, NBT Bank account, PLGIT liquid fuels account, and PLGIT general account were \$28.64, 22 cents, \$528.50, and \$64.03 respectively. She also reported the financial account balances as \$300,650.06, \$9,196.89, \$24,724.24, \$10,702.52, \$16,006.41, and \$128,767.76 in the accounts of Wayne Bank (Investment), Wayne bank (General), Wayne Bank (Payroll), NBT Bank, PLGIT (General), and PLGIT (Liquid Fuels) respectively.

Roadmaster:

Mr. Williams, the Roadmaster, said that the road crew had been shoulder cutting on Schocopee Road for the past couple of weeks. Three pipes were found on this road to have their bottoms rusted, and those will have to be replaced. They had to be very careful while working due to the proximity to the water source. He added that Engineers had inspected three bridges (two on Schocopee Road and one on Moon Valley Road), which are 100 years old, and he was waiting for the results of those inspections.

Bid opening for Road Pavement and road salt: The Board waited until 7:15 P.M. to open the single salt bid. The public notice for receiving the bids up to June 5th, 7:00 P.M. was published on April 27th and May 4th in the Pike County Dispatch. Mr. Williams opened the sealed bid, he declared that their bid is \$124.50, and it's six dollars higher than last year's. He made a motion to award this bid to American Salt for 250 Tons. Mr. DiLorenzo seconded, and it passed unanimously.

A Public notice for bid opening for the Road Pavement project on Schocopee Road was published on May 4th and May 11th in the Dispatch, and two bids were received. The bid from Wayco from Waymart is \$77,082.99. Second bid is from Heidelberg Materials northeast at Lake Ariel, PA, and their bid is 78,875.55. Wayco meets all the obligations of requirements, and their bid amount is lower. Gary made a motion to accept Wayco's bid, Rachel seconded, and it passed unanimously.

b. Mr. Williams said that Pike County Conservation has a Dirt and Gravel program. The certification class will be on July 12 and 13 in Bethlehem, and he had registered a road department employee for it. The program is actually free, but it's a two-day program, and so he will have to stay there for two nights. There will be some reimbursement to cover some of the cost. When it's done, this Township will be eligible for refunds from Pike County Conservation, and he had already applied for the small reimbursement program, which might cover up to \$500. He made a motion to send Harvey McKean to attend this program, Rachel seconded, and it passed unanimously.

Gary added that Harvey McKean and Mark Gates are scheduled to attend the mandatory flagger training on June 15 in Pike County Training Center.

Public participation #1:

Mr. DiBiasi asked about the enforcement of a 35-gallon limit on toxic chemicals in the watershed, and Supervisors confirmed that the ordinance does not currently exist. Mr. Williams mentioned that existing businesses will be grandfathered in and exempt from the ordinance, once adopted. Mr. DiBiasi questioned who will be responsible for enforcing the ordinance, and Rachel explained that there is a zoning enforcement officer who will handle the enforcement. The conversation then shifted to the ordinance and the need to protect aquifers. Dr. Robert Ollar, a professor of neurology, emphasized the importance of keeping aquifers pristine and free from contamination. They highlighted the risks posed by chemical pollutants and the potential health effects, including cancer and neurological diseases. The doctor stated that prevention is crucial because remediation is often ineffective once contamination occurs. The conversation returned to the proposed ordinance's goal of protecting the entire watershed rather than just the aquifer area. Rachel explained that the ordinance aims to restrict chemicals throughout the entire watershed to safeguard both Milford Borough and Township residents who rely on the water from wells. Greg Lotorto, a landscape architect, raised concerns about the expert planner hired by the Township, expressed doubts about his qualifications, and suggested that this planner had supported some industries that harm water sources. He urged the board to be cautious in relying on this planner's expertise. Rachel said that Mr. Shepstone's background is in Planning, and he was the Planner for Wayne County beginning in the seventies. She stated that Mr. Shepstone is representing his client's interests (the Township) and working in accordance with the Planning Commission.

The Solicitor said that presently, there's a zoning ordinance that was originally written in 1986 and some provisions were amended in 2017. This Township does not have a storm water management ordinance, and we rely on the Pike County Conservation District for that. The original idea is to protect the wells and also protect the source waters by implementing an overlay district. That has since materialized into a larger area of the Township, and the majority of development district in the Township is now recognized as being under the confines of this ordinance. Mr. Magnotta went on to say, for those of you who are saying that you don't like the ordinance, that's your prerogative and your opinion. Right now there is no protection other than what is in the Subdivision and Land Development Ordinance, and that is simply necessary for a clean water supply and adequate sewage. The thought process of the supervisors and the Planning Commission is that we want to have something on record where, if a developer is coming into the developmental district, certain conditions can be recognized and placed upon that developer. These conditions deal with hydrocarbons and hazardous materials. Some concerns have been raised about Mr. Shepstone, and he had known Mr. Shepstone for 40 plus years, and he has worked for industrial clients as well as community planning and county planning. Mr. Shepstone has drafted an ordinance that protects portions of the watershed and the community wellheads. Mr. DiBiasi keeps coming back to this, as the terms in this ordinance are different than the terms in the study that was done of the aquifer and also different from the terms in the Dingman Township ordinance.

Secretary's Report:

Shahana presented various correspondences received, including from Thomas Shepstone, Planning Commission, NBT Bank, Certificate of Insurance, Doug Olmstead, UGI, Kiley Associates, Woodland Design Associates, Pike County Conservation District, Pike County Planning, Shapiro Administration, County Assessment Office, John D. Fuller, and Pike County Tax Administrator. Rachel clarified that the results of the survey that was received from Woodland Design Associates was only for the digital surveys.

Old Business:

a. Watershed & Wellhead ordinance – County's Comments: County comments were received. Rachel made a motion to advertise for a hearing on July 17th. Gary seconded the motion, and it passed unanimously. Beth Kuemerle stated that the Planning Commission had approved the adoption of this ordinance and inquired about its position in the process of adoption. The Solicitor responded that it would be advertised, allowing interested individuals to come to the township and review the proposed ordinance. Additionally, at least one public hearing would be held. The Planning Commission, being an advisory body without decision-making authority, recommends the ordinance to the Board of Supervisors for consideration. Ultimately, the Board of Supervisors has the final say. Rachel mentioned that the Planning Commission had already sent this ordinance at least three times, and after discussions, it was returned for further adjustments. Furthermore, it has also been sent to the County Planning for their comments, which have already been received on multiple drafts, including the current one. During the hearing, there will be an opportunity for all attendees to make comments. However, the Board has the authority to impose restrictions on public comments by each person. They may choose to accept comments exclusively from property owners and taxpayers of this Township, and they may also limit the time allotted for public comments. The Solicitor added that some jurisdictions limit public comments to a maximum of four minutes.

b. National Land Developers' Conditional Use – Venue for June 22 Hearing: The Township was not approved to use Delaware Valley High School auditorium, as it will be renovated at that time and won't be available. Alternative locations were looked at and based on the attendance of the past two Hearings, Best Western is selected. The Zoom option will not be possible, and it will be an in person Hearing only. Gary made a motion to have the next Hearing at the Best Western Hotel in Westfall Township, Mr. DiLorenzo seconded, and it passed unanimously. Shahana was asked to advise all parties about this change of venue and to post it with the reason on the website. She will also have to post on the website that the Zoom option won't be available for this Hearing.

c. Econo-Pak – update from the Engineer: The Solicitor said that he had received correspondence from Mr. Fuller, the Engineer for Econo-Pak, and the Township Engineer on this project, regarding the bond amounts. The improvement construction guarantee and improvement maintenance guarantee of 18-month duration will be \$2,61,806.21 and \$281,155.39 respectively, and the storm water management between the owner and the Township will have to be executed also. The agreement was reached on Friday. He recommended the Board to accept these

amounts. He added that the developers agreement still needs to be done. Rachel made a motion to accept these bond amounts, Gary seconded, and it passed unanimously. Shahana was asked to put the developers agreement on the agenda of the next meeting.

d. Request from Shohola Dollar General for the reduction of their bond (this item was added to the agenda, because the correspondence came late): The engineer had recommended releasing a portion of this bond based on the work that has been completed. Rachel made a motion to release this portion of the bond that the Engineer recommended, Gary seconded, and it passed unanimously. Shahana was asked to forward this decision to the bond holder so that they could update their bond.

e. Definition of the Job Box – County comments (this item was added to the agenda, because the correspondence came late): The Planning Board had been working on this zoning ordinance change for many months, and the County had requested resending the definition in the resolution format. Rachel made a motion to prepare the definition of job box in a resolution format and to send it to the County along with the ordinance # 407.2 modification. Mr. Di Lorenzo seconded the motion, and it passed unanimously.

New Business:

a. Robert DiLorenzo's pay as a working supervisor for SEO – Approval for advertising: The Auditors, not the Supervisors, are supposed to set payrates for Supervisors. Rachel made a motion to approve advertising for the auditors meeting so that they can set Supervisor DiLorenzo's pay as SEO and snow plowing road crew person. Gary seconded the motion, and it passed. Mr. Di Lorenzo abstained from voting due to the conflict of interest.

c. Wayne Bank and NBT Bank for better interest rates: Rachel recused herself, as she had submitted a conflict-of-interest letter at the beginning of her term in this office indicating that she has a contract with a financial services company.

There's a substantial amount of money in the Wayne Investment account, and the interest rate is only 1%. They were asked to raise the interest, and it was raised to 1½ percent only. NBT Bank was contacted also, Laura Schultz, the branch manager, offered three percent no matter what the balance is, and that's double the amount that Wayne Bank had offered. All the municipal money is insured there. So, money needs to be transferred from Wayne Bank to NBT Bank. There is about \$300,000 in the Wayne Bank Investment account, and \$15,000 of checks are made out of this account each quarter. Mr. Di Lorenzo made a motion to transfer \$250,000 from Wayne Investment Account to NBT Bank account, Gary seconded, and it passed. Shahana was asked to forward the second quarter tax donation to the ambulance and file the quarterly report with the County for matching funds.

d. Short Term Rentals – Planning Board's recommendation: Complaints about short rentals in Moon Valley and in other areas including Shohola have been received. Mr. Di Lorenzo had mentioned these at the Planning Board meeting, Mr. Farley had provided Lackawaxen Township and Delaware Township's ordinances, and those were modified. Derry Township has a huge number of these, and states they don't get any complaints. Rachel made a motion to send this ordinance back to the Planning Commission for further discussion, Gary seconded, and it passed unanimously. Shahana was asked to get the word format of this proposed ordinance so that feedback could be sent back to the Planning Board.

Other public participation:

None

There was no other business to discuss. At 8:36 P.M., Gary made a motion to pay the bills and adjourn, Rachel seconded, and it passed unanimously.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer