

**MINUTES**  
**November 20, 2023**  
**6:30 P.M.**

**Hybrid Workshop of the Board of Supervisors (Zoom meeting ID was advertised in advance in the Pike County Dispatch) 560 Route 6 & 209**

Mr. Di Lorenzo mentioned that he was greeted well at the Sewer meeting. The primary concern revolved around the appeal, and unfortunately, it's too late. The Act 537 Plan has to start over. Some from Westfall were present, and it might have been Chris Lordi. If the system were designed for residential use, everything would fall into place. However, since it was designed for commercial purposes, residential doesn't fit in, and they don't seem to understand how the two must differ. The allocation is 400 gallons/day for residential properties and 200 gallons/day for commercial properties. Residential properties exceed the 200-gallon limit, so they will be charged double, constituting one deficiency. There is no justification for homeowners to pay double or triple, especially considering that the national average for residential properties is still 265 gallons. Twelve years ago, he conducted a study on all residential properties and found that the average water consumption ranged between 230 and 250 gallons per day.

A septic system cannot be placed under a driveway, but a driveway can be constructed over a septic system. If the septic system is in place first, a driveway can be built on top of it. However, a septic system cannot be installed within a hundred feet of a well, whereas a well can be drilled through the middle of a septic system if it was there first. In one instance, a house was 125 feet away from the septic system, yet the water supply became contaminated. The well, positioned 10 feet above the septic system, did not prevent contamination. On the other hand, some properties have wells just six feet away from septic systems and have never experienced contamination, illustrating that the outcome depends on the characteristics of the ground. It's important to note that water doesn't always flow downhill. Regulations dictate that a well must be at least 100 feet away from a septic system, but if the septic system is already in place, the distance requirement is waived. Some individuals place sheds and gardens on top of turkey mounds, although this goes against regulations. Surprisingly, there are no specific regulations against constructing structures such as garages directly over septic systems. Rachel suggested that these considerations could be added to the SALDO (Subdivision and Land Development Ordinance). Bob added that we could make the regulations more stringent, but loosening them is not an option.

In response to Rachel's inquiry about the cost, Bob mentioned they would do it for free until it needs to restart. USDA and PennVEST won't provide funding without an Act 537 Plan, and an Act 537 Plan can't proceed unless the funding is confirmed. In reality, notifications from PennVest and USDA probably assure that funding will be available once the Act 537 Plan is approved. The DEP meeting will have no cost because no attorneys were present. Rachel pointed out the issue of them proceeding with the work and billing afterward. This happened three times, despite the prior assurances the Township would not have any financial responsibility, and a previous letter was sent informing them not to do so. Bob mentioned that when they restart, there's an option to opt out entirely, and a new Municipal Agreement will be in place. We could agree to be a pass-through, and let homeowners pay to hook up to it.

According to the DRBC, the building has deficiencies; it needs to be raised out of the flood plain, but it was never done. There are some new homes and garden apartments on that system, and those are not accounted for. Why should this township pay for something that was a pre-existing deficiency? Due diligence to identify these issues and ensure they are addressed before a deal is closed must be undertaken.

The Township should take a step back for a week or so and seek advice from someone other than those in the middle of it. It's something that Jayson, the planner currently handling the Township's comprehensive plan update, could assist with. The impression from the meeting is that they believe they will go to the DEP and get a list of things they can fix. Milford Township has some decisions to make. The design for Milford Borough doesn't make sense because it places all the burden on the property owners. Mr. Stroyan had a lengthy discussion with one of the lawmakers about what is actually going on and found out that they haven't been brought up to speed. They have only been asked for financing, and they are not being given the background. The background is supposed to be provided when financing is requested. So, this Township needs to use its ears for the next month or so. It might get involved in a bunch of stuff that isn't fair to many residents in the township. This Township probably should have its own Act 537 Plan.

The Water Authority has stated that it will return to billing for hydrants, which will be on the agenda for the next meeting. Hydrants only affect some people, so the rest of the residents shouldn't be paying for them. \$800,000 was allocated to the Authority in the past, and that's how they installed those hydrants and extended the line. The bill will be sent to the Township, but not everyone in the Township benefits from it. Rachel has requested the list of those hydrants, Mr. Magnotta couldn't be here tonight, which is why this issue will be on the agenda for the next meeting. There was a workshop at the Water Authority, and Scott discussed it with Rachel on the phone. Rachel mentioned many things they would like to see, and Scott will send something in writing. Mr. Magnotta will also have a list of additional items. They just added two more on 01 in Milford Township. The Water Authority is self-directed and that's concerning. Rachel also asked Scott why he couldn't bill the people who are benefiting from the hydrants, and he didn't know if that was possible. He said they hadn't considered that before and weren't sure if they could do it that way. Perhaps they discussed it with their attorney at the workshop. There could be an argument that the hydrant is not close enough to a house to serve it, though, the Fire Department gets the water from the hydrants. In the Borough, it's 100%, but it's not that way in the Township.

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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, Secretary/Treasurer Shahana Shamim and Assistant Secretary/Treasurer Barbara Schiavone.

Mr. Williams made a motion to approve the minutes from the previous meeting. Mr. Di Lorenzo seconded, and it passed unanimously.

**Treasurers Report – Shahana Shamim**

Receipts since the last meeting:

\$25 from Greenwood Hills Rental of Community Room  
\$15,000.00 from Pike County Commissioners for Ambulance Match  
\$125.00 from Pike County Commissioners for Rental of Community Room  
\$4,385.00 from Pike County Recorder of Deeds R.E. Tax  
\$28.37 from District Court Magisterial District Recipient Reporting  
\$500.00 from Zoning  
\$400.00 Sewage Permit Hickory Hills ESM Repair  
\$1.00 Cash for RTK Request  
\$131.51 from Code Inspections

Bank account balances:

Wayne Bank Payroll: \$16,434.11;  
Wayne Bank Investment: \$10,538.78; Interest Rate: 0.10%  
Wayne Bank General: \$59,181.89;

NBT Bank Checking Account: \$30,260.97; interest rate 0.02%  
NBT Bank Money Market: \$16,422.03; interest rate 3%

PLGIT General: \$217,411.81; monthly distribution yield: 5.17%  
PLGIT Liquid Fuels: \$55,789.98; monthly distribution yield: 5.17%

**Roadmaster:**

**Rebid Sale of 1996 Kodiak:** Gary Williams made a motion to rebid this again with a minimum bid of \$7,500 to advertise in the Pike County Dispatch. Rachel seconded the motion and it passed unanimously.

## **Zoning:**

Shahana stated that she had received four zoning permits from the Zoning Officer. Two of them were for signs, one was for a yard sale, and the other was for the temporary use of Christmas tree sales. Additionally, she mentioned that she had also received an application for lot combination.

## **Public Participation:**

Bob discussed several issues with the prior draft Act 537 plan. There have been no failures in Milford Township. One of his biggest fears is that if the Plan ever went through, it wouldn't work right because of the friction loss. The grinder pumps are being installed with only a 50-gallon pump, and that will last two to three hours for a normal resident. So far, it's just the 537 Plan, and the DEP hasn't gotten to the mechanicals at all, so it won't be discussed on the 4th. The 537 Plan has to be done before the sewage system can be presented. Right now, the concentration is on the 537 Plan and not the mechanicals. Fifty-six questions were sent from the Township, and many of those questions were never answered. Probably, an engineer needs to look at it rather than an attorney. Advice from a planner about how this township can approach this might be needed too, about what we can and can't do. This Township was told last year there would be no cost for this Township, and then three separate bills were received. Those bills were small, but if the Plan is rewritten, the bills won't be small. At one of the meetings, HRG said this was the cheapest approach because nine pump stations would be super expensive. One huge pumping station at the lowest point should be able to accommodate.

## **Secretary's Report:**

Shahana presented correspondences from Joseph Dooley, HRG, Pocono Interiors, the Delaware Water Gap NRA, the Milford Fire Department, the Pike County Assessment Office, the NPS, PSATS, and Woodland Design Associates.

## **Old Business:**

- a. **Review of the Zoning Map:** Mr. Di Lorenzo said that this item needed to be tabled at the next meeting because he needed to get more information from the records. Rachel asked if that was a motion, and Mr. Di Lorenzo said, yes. Rachel seconded the motion, and it passed unanimously.
- b. **SALDO – joint workshop with Planning Commission:** Rachel mentioned that she contacted Tom Shepstone, and he confirmed his availability for the December 14 workshop with the Planning Commission to discuss the items in the SALDO that she had inquired about. Kevin emphasized the importance of completing this task and requested the Secretary to include SALDO on that workshop agenda. He mentioned that Jayson doesn't want to hold any more meetings this year, making it an opportune time to address the SALDO. Subsequently, Rachel made a motion to advertise the Planning Commission Workshop on December 14 as a joint workshop with the Board of Supervisors. Mr. Di Lorenzo seconded the motion, and it passed unanimously.

## **New Business:**

a. **PCLP Update for the coming year – Ed Verbarak:** Rachel said that Mr. Verbarak was expected to attend the meeting. She asked the Secretary to send an email to his office tomorrow and indicate that we were surprised not to see him and would like to know if he would like to reschedule.

b. **Appoint the auditor - place an advertisement:** The advertisement has already been placed. Rachel made a motion to ratify its placement, indicating the intent to hire an auditor to audit the books for 2023. Bob seconded the motion, and it passed unanimously.

c. **Eastern Pike Act 537 and meeting with DEP:** Rachel made a motion to ratify Mr. Di Lorenzo's attendance at the meeting that took place last Thursday for the Act 537 Plan. Mr. Di Lorenzo seconded the motion, and it passed unanimously.

d. **Ambulance Services - Communication with the neighboring community:** The fact that Westfall is receiving more calls with Milford Ambulance's paid service than this township was discussed at the last meeting's workshop. It is crucial to inquire into what is happening there, and Mr. Di Lorenzo was tasked with informally reaching out to Supervisor Llewellyn regarding this matter. This item will also be included on the agenda for the next meeting, and a formal communication to Westfall will be sent thereafter. Rachel will file a Right-to-Know request with the county to ascertain the County's funding in Westfall. The County might also be able to provide information about who covered the calls that the Milford ambulance missed, and whether Westfall or Dingman covered those missed calls. If the calls missed by Milford Ambulance are being covered by Westfall, then close monitoring is necessary. When the paid service with County funding started, Westfall was, informally, informed that it might not make sense to cover the same paid hours as Milford and Shohola. The response was that the majority of calls occur during daytime calls. Suggestions were made to split or alternate the off-time coverage, but the conversation ended without a decision, and none of the Municipalities involved expressed a willingness to pursue that option.

Mr. Di Lorenzo mentioned that the night shift receives higher pay. Gary said that they are not currently running a night shift. Rachel added that Westfall might be receiving County money, and during County discussions, it was noted that adjustments might be necessary at the reimbursement levels if certain towns end up handling the majority of calls for others. If this is the case, reopening the conversation with the County is essential. If Dingman is covering this township, they may also want to participate in that discussion, given their history of handling numerous calls in Milford. If Westfall is collecting money from the County but not running calls, reopening the conversation with them is crucial. If staffing is a challenge for them, revisiting this discussion might be beneficial for both. It's possible that they have overnight staff, while Milford Ambulance has daytime staff, but this needs to be clarified. This matter should be added to the agenda for the next meeting.

e. **Internet Speed – Blue Ridge Cable (BRC):** Mr. Pitman had come to the building to conduct a speed test. According to the bill from BRC, the service is Business Pro 50, priced at \$54.95 per month for internet, but it does not specify the speed. Mr. Pitman mentioned that he had spoken with Shawn, who informed him that his computer is hardwired to the router. Mr. Di Lorenzo added that his computer is in the same room and is also hardwired. Upon conducting the speed test, Mr. Di Lorenzo found only 41. Mr. Pitman expressed concerns about the video quality

on Zoom, noting that when he conducted the speed test in his living room, he achieved a speed of 200, and he pays \$69 per month. Rachel suggested that we might need to upgrade to a plan two levels higher than our current one. Mr. Pitman suggested that the router or modem could be the issue. In response, Rachel asked Shahana to call Blue Ridge and request an examination of our history to determine if our modem is outdated.

#### **Other public participation:**

Gary inquired about a letter that was discussed at the Road Task Force with the State Police. Enforcement is necessary, as it pertains to some business vehicles operating unsafely. Although Gary had communicated with the Road Task Force, no actions were taken. Rachel asked Shahana to include it on the agenda for the next meeting.

It was stated in the PSATS newsletter that the legislation for the change in the law concerning authorities with Emergency Services has successfully passed both houses. This initiative, pushed and approved by the Pennsylvania County Commissioners' Association, is likely to be signed into law by the Governor. PSATS opposes it because the law doesn't grant municipalities the ability to make their own decisions. The Township needs to catch up on what's happening as this change approaches. There has been no discussion in the Pike County Planning about how quickly it's approaching. Longer call response times could be likely because there were discussions about consolidating the number of responding entities, which is also a cause for concern. The last sentence of the bill will specify when it will take effect, such as 30 days, 60 days, or immediately. Rachel asked Shahana to email Jill Gamboni from Rep. Adams' office and request a copy of the legislation that passed for the Ambulance Authority. She was also tasked with inquiring at the COG meeting about the Commissioners' stance on the timetable. Another point she should convey is the concern about decisions and local ambulance policy and personnel being taken out of the community and delegated to the county. The county should initiate communication sooner rather than later regarding this matter.

In response to Shahana's inquiry, Rachel stated that the property tax rate can be raised by resolution, a matter of which Mr. Magnotta is aware. However, this process cannot occur until the second meeting in December. Rachel requested Shahana to follow up with him regarding the timing and to seek advice on when the notices need to be placed. When Bill inquired about the discussion on the budget, Rachel asked him to have his questions ready for the next workshop. She added that copies of the budget will be available on the table at the upcoming workshop, and Shahana will provide details on any line items from the previous history if requested.

A hearing for National Land Developers was initially scheduled for Saturday, November 18th. However, upon receiving the notice of this schedule, they promptly sent a written extension until the end of January. Consequently, the hearing and the associated advertisement were canceled. The attorneys now need to coordinate and propose suitable dates in January, and there might be options available before the next meeting. Shahana was tasked with including this matter on the agenda for the upcoming meeting and reaching out to Mr. Magnotta and Mr. Stinnett in case no updates on the dates are received before then.

According to a news article, the Supervisors of Wayne County are indicating that they have received interest from large-scale solar farms. Consequently, Wayne County

Commissioners are hosting a large-scale solar Penn State Extension workshop next Tuesday. This is certainly something that this Township is not prepared for yet, but it's happening in Monroe and Wayne counties, so it's only a matter of time. While this Township has less flat/clear land for such projects, it's inevitable. The Township has some parking lots, but efforts should be directed towards repurposing already utilized land rather than further consuming untouched areas. Currently, the Township lacks any ordinance for managing solar farms, so this needs attention. The Planning Commission is already overwhelmed with the volume of tasks, as new challenges keep arising faster than we can address them. Discussing the integration into SALDO with a paragraph can be considered at the next workshop of the Planning Board. PSATS has some draft guidance on their website regarding this issue. Mr. Tom Shepstone might attend the Penn State Extension event, or he may already be well-informed about it. Mr. Pitman commented that Elon Musk states that the country can be powered with a 100 square mile solar farm with battery backup.

**Executive Session:**

None

There was no other business to discuss. At 8:12pm, Rachel made a motion to pay the bills and adjourn. Gary seconded the motion, and it passed unanimously.