

**Milford Township Board of Supervisors
Minutes of January 6, 2020 Reorganizational Meeting**

Call to Order: Chairman Charles Strunk called the meeting to order at 7:02 p.m.

Supervisors Present:

Charles Strunk, Chairman; Thomas Courduff, Supervisor, John Mininger, Supervisor

Attendance:

Jeffrey A. Vey, Township Manager; Devan Ambron, Secretary/Treasurer; Catherine Harper, Township Solicitor; Pete Andersen, Township Engineer; Audience: 9

Appointment of Temporary Chair and Temporary Secretary:

Mr. Strunk appointed Mr. Vey to Temporary Chair and Mrs. Ambron to Temporary Secretary.

Nomination of Permanent Chair and Vice Chair

Upon nomination by Mr. Courduff, seconded by Mr. Mininger, Mr. Strunk was nominated as permanent Chair, no other nominations were presented, the Board unanimously appointed Mr. Strunk as Chair.

Upon nomination by Mr. Mininger, seconded by Mr. Courduff, Mr. Courduff was nominated as Vice Chair, no other nominations were presented, the Board unanimously appointed Mr. Courduff as Vice Chair.

Resolution No. 2020-01, Appointments, Reappointments and Modifications of Appointments”

Mr. Strunk announced that the Township Solicitor, Clemons, Richter & Reiss, has resigned after serving the township for over thirty years. The Township has appointed Ms. Catherine Harper of Timoney Knox, LLP to serve as the Township Solicitor. Mr. Courduff stated Ms. Harper has served as the Solicitor for Milford Township Zoning Hearing Board for over twenty years and welcomed Ms. Harper.

Mr. Vey presented the Board with the list of Appointments, Reappointments and Modifications of Appointments for 2020.

		<u>Term Expires</u>
Township Manager	Jeffrey Vey	
Bond Requirement	\$2,000,000.00	
Township Solicitor	Timoney Knox, LLP (Fees outlined in Fee Schedule)	
Township Engineer	Andersen Engineering (Fees outlined in Fee Schedule)	
Township Secretary	Devan Ambron	
Township Treasurer	Devan Ambron	
Bond Requirement	\$2,000,000.00	
Code Enforcement	Nathan Cordero	
Fire Marshal	Nathan Cordero	
Zoning Officer	Nathan Cordero	
Building Code Official	Nathan Cordero	
	Barry Isett & Associates (Third Party)	
Assistant Zoning Officer	Jeffrey Vey	
Public Works Director	David Winkler	
Elected Real Estate Tax Collector	Betsy Moyer (4-Year Term)	12/31/2021
Earned Income Tax Collector	Keystone Collections Group	
Local Tax Collector	Betsy Moyer (4-year Term)	12/31/2021
Independent Auditor	Styer Associates	
Zoning Hearing Board (3-Year Term)		
	Albert Haynes	12/31/2022
	William J. Buchanan (2 nd Alternate)	12/31/2022
Vacancy Board (1-Year Term)		
	Stephen Shelly	12/31/2020
Elected Auditors (6-Year Term)		
	Sheryl Nierenberg	12/31/2026
Planning Commission (4-Year Term)		
	Susan Edwards	12/31/2024
Park and Recreation (5-Year Term)		
	Allen Clemens	12/31/2024
	Iveta Gigova	12/31/2024

Agricultural Security Area Advisory (1-Year Term)	
Thomas Courduff	
Milford Township Water Authority (5-Year Term)	
Joseph Smalley, Jr.	12/31/2024
Milford Trumbauersville Area Sewer Authority (5-Year Term)	
William Heffentrager	12/31/2024

Mr. Strunk made a **MOTION** to approve **Resolution No. 2020-01**, Appointments, Reappointments and Modifications of Appointments. The motion was seconded by Mr. Courduff and passed unanimously.

Resolution No. 2020-02

Mr. Vey stated the earned income tax rate for 2020 is 1.75% which is divided between the following entities: 1% to the Quakertown Community School District, 0.50% to Milford Township General Fund, 0.25% to Milford Township Open Space Acquisition Fund. The universal nonresident withholding rate is 1%. Keystone Collections Group was appointed tax collector to collect the Earned Income Tax effective January 1, 2011 for the Bucks County Tax Collection District.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2020-02**, Establishing the Earned Income Tax Rates for 2020. The motion was seconded by Mr. Courduff and passed unanimously.

Resolution No. 2020-03

Mr. Vey stated the Real Property Tax for road, bridge, and general purposes is 000.75 mills and 1.25 mills for support of Fire Companies who serve Milford Township. Mr. Courduff made mention that this tax has remained the lowest in Bucks County for forty years.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2020-03**, Levying a Tax Upon Real Property. The motion was seconded by Mr. Mininger, and passed unanimously.

Resolution No. 2020-04

Mr. Vey stated there are no proposed changes to the Fee Schedule. It was further stated that the Subdivision/Land Development fees would be assessed to see if any changes would need to be imposed in the future.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2020-04**, Fee Schedule for Service. The motion was seconded by Mr. Courduff and passed unanimously.

Resolution No. 2020-05

Mr. Vey stated the Street Light Assessment consists of 20 Street Lighting Districts. The assessment ranges from \$18.00 to \$83.00 per property located in the district. The assessment is based off the cost to operate the streetlights.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2020-05**, Street Light Assessment. The motion was seconded by Mr. Courduff and passed unanimously.

With their being no further business, Mr. Strunk adjourned the reorganizational meeting at 7:12 p.m.

Respectfully Submitted:

Devan Ambron, Secretary/Treasurer

**Milford Township Board of Supervisors
Minutes of January 6, 2020 Regular Meeting**

Approval of Minutes:

Mr. Courduff made a **MOTION** to approve the minutes of the December 3, 2019 regular meetings. The motion was seconded by Mr. Strunk and passed.

Treasurer's Report:

Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve invoices for payment, along with the November 2019 Treasurer's Reports. The motion was seconded by Mr. Courduff and passed.

Correspondence:

The Minutes of the November 13th and 20th, 2019 meeting are available for review. Mr. Mininger reported that the beacon is scheduled to be replaced within the next two weeks. It was also reported that the Portzer Road rental may be back on the market.

The Quakertown Area Planning Committee meeting minutes of November 12, 2019 are available for review. No significant action was taken regarding the Special Exception for LB Water Service.

Reports:

Code Enforcement: In December there were 16 permits issued, 3 Commercial, 3 Zoning, 5 Residential Accessory Structure, and 5 Residential Renovation. There were 10 Use & Occupancy permits issued, and 3 fire inspections were performed. Mr. Courduff inquired as to the upgrades and interior renovations to both schools purchased by Faith Christian Academy. Mr. Cordero stated the renovations are significant. Mr. Cordero said he attended a meeting with Faith Christian Academy to discuss the use of the facility as an Emergency Center. Mr. Cordero stated Faith Christian Academy is not in opposition of the use of the facility. The building is equipped with a cooking facility, shower facility, a large gymnasium, and back up generator. Mr. Cordero stated an agreement will be worked on putting the specifics in place. Mr. Courduff asked if the generator could handle heating the facility. Mr. Cordero stated it could.

Public Works: The Public Works Department began the month installing snowplow stakes and preparing equipment of the winter. An extensive amount of cold patching on Mill Pond Road was done. Dead trees were removed from the open space at Evelyn Lane and around the basin at Valley View II. The Public Works department went out a total of 4 times to salt this month. Mr. Courduff stated the Public Works Department did a great job clearing the roads with the surprise snowstorm on December 18th.

Milford Township Volunteer Fire Company: The Fire Company reports a total of 16 incidents for the month of December. The Fire Department has sold special service 75, along with tools, and an air cascade system. A Dual Response agreement with Trumbauersville Fire Department will soon be put into place. Once executed the County will institute. The Fire Department is looking to update their existing computers as well as purchasing new computers, tablets or iPads. Mr. Courduff has requested an annual meeting be scheduled with the Board of Supervisors and the Milford Township Volunteer Fire Department.

Trumbauersville Volunteer Fire Company: The December 2019 report for Trumbauersville Volunteer Fire Company is available for review. A total of six incidents were reported.

Park Board: At the meeting held on December 11, 2019 the Park Board continued discussion of the status of the Pickle Ball Courts at Unami Creek Park. A date will be selected in late January or February to clean up the disc golf course at Unami Creek Park. The Board discussed scheduling a date in January to tour local dog parks to obtain ideas on a possible dog park in Milford Township. The Appalachian Mountain Club may have grants to provide new signage for the American Chestnut trees.

Township Manager:

Mr. Vey requested authorization to execute an agreement authorizing Hough Associates to collect residential and commercial recycling data and prepare the 2019 Performance Grant Application for Milford Township.

A **MOTION** was made by Mr. Courduff to approve execution of the Hough Associates Recycling Agreement. The motion was seconded by Mr. Mininger and passed unanimously.

Used Equipment Purchase Bid: Mr. Vey presented the results of the Used Equipment Purchase Bid. One bid was received from Heffentrager Inc. A Mack Tractor, Low Bed and Hillman Dump Trailer were bid as a package. The total bid for the package was \$32,500. Also included in the used equipment purchase bid was a CAT Dozer with a bid of \$30,500, and a CAT Loader with a bid of \$29,400.

Mr. Strunk made a **MOTION** to award the Used Equipment Purchase Bid to Heffentrager Inc. Mr. Courduff seconded the motion. The motion passed unanimously.

PSATS Delegates:

A MOTION was made by Mr. Strunk, seconded by Mr. Mininger, and passed unanimously naming Mr. Courduff as voting delegate for Milford Township at the annual PSATS conference.

Conditional Use Hearing:

Quaker Pointe Hotels, LLC, TMP No(s) 23-010-021-001, Quaker Pointe Drive- Proposed Use E9, Hotel, Motel or Inn: Ms. Harper opened the Conditional Use hearing for Quaker Pointe Hotels, LLC at 7:30 p.m. Mr. Brian Nagel, council for applicant, was in attendance. Mr. Nagle stated he became involved with the proposal after the initial Conditional Use hearing was held. Mr. Nagle stated the owner of the property has remained the same and the plan/proposal follows the same principal as originally submitted. The applicant proposed to construct a 77-room, 3-story hotel on the existing 2.73 acre parcel. Mr. Nagel stated the applicant finds the draft decision acceptable. Mr. John Melham of Melham Associates, PC, stated he anticipates a Land Development Plan being submitted to the Township within a week.

At this time the Ms. Harper presented the list of conditions to be implemented if the Conditional Use is approved. The conditions are as follows:

1. Prior to commencing any construction on the Property, Applicant shall obtain land development approval to develop the Property as a hotel. In addition, prior to the recording of the Record Plans, Developer shall enter into a Land Development and Financial Security Agreement with the Township, prepared by the Township Solicitor, and deposit adequate financial security in the form of a cash escrow or an Irrevocable Letter of Credit approved by the Township Solicitor from a bank or other approved financial institution for the construction of all public improvements shown on the approved land development plan, including storm water drainage improvements, sedimentation and erosion control measures, grading, monuments, roadway improvements along Quaker Pointe Drive and any other improvements required by the land development. The Letter of Credit shall include an Evergreen Clause to prevent expiration of the Letter of Credit. The Township shall not release financial security until both the dedicated and non-dedicated improvements are completed.
2. Land Development Plans must be submitted to the Township which conform to the requirements of the Milford Township Subdivision and Land Development Ordinance as well as other relevant Township Ordinances and regulations, provided that the waivers set forth on the updated Plans, attached hereto as Exhibit "A" are hereby granted in conjunction with this conditional use approval.
3. With the exception of the emergency access easement area, the only access to the Property shall be from Quaker Pointe Drive.
4. The internal access shown on the Plan is acceptable. However, prior to the recording of the Record Plan, Applicant shall execute a Declaration, in a form prepared by the Township Solicitor, granting an ingress and egress easement to Milford Township and the public for emergency access from the boundary line of adjacent Tax Map Parcel No. 23-10-21 over, across and through the Property to allow pedestrian and vehicular access to Quaker Pointe Drive and John Fries Highway (Pa. Route 663).
5. All signs identifying the Property or the uses permitted herein shall be subject to prior approval of the Board of Supervisors which approval must be obtained prior to, or simultaneously with the subdivision and land development approval for the Property.
6. Prior to or as part of the land development approval, Applicant shall demonstrate compliance with the architectural and structural standards of Milford Township Ordinance No. 133.
7. Prior to final land development approval Applicant shall provide evidence satisfactory to the Board of Supervisors that the current owner of the gas easement shown on the Plan has issued a written consent to Applicant to the use of the surface of the pipeline easement for the construction and use of the improvements shown on the Plan. In the event that such easement is not provided, alternative access or provisions shall be provided by Applicant.
8. Township acknowledges that the existing easement the current owner of the adjoining property has granted Applicant to use the 14 spaces shown on the Plan provide parking in accordance Township Zoning Ordinance Section 404 E9. Prior to final land development approval, Applicant shall demonstrate that the easement has been recorded against both properties affected and that the owner of the subservient parcel is aware the easement is a limitation of the title of the property, and that the Applicant is aware that it is required to maintain the parking spaces by the Zoning Ordinance for the hotel land use.
9. Prior to final land development plan approval, the Applicant shall specify the type of enclosure which will be used for the dumpsters to service the new hotel. The dumpsters shall be shielded on three sides in a manner approved by the Board of Supervisors.
10. The proposed hotel shall comply with the architectural standards established in Ordinance No. 133.
11. Prior to final land development plan approval, the Applicant shall address to the satisfaction of the Board of Supervisors all outstanding engineering

issues identified in the June 27, 2018 letter of Andersen Engineering Associates, Inc., Township Engineer, except paragraph number "SALDO-1" of the June 27, 2018 letter, including but not limited to constructing a connection to the Hampton Inn water line to enable the fire hydrants serving the hotel to work properly, with an easement granted to the Milford Township Water Authority for inspection, access, and maintenance at the property owner's expense.

12. Prior to obtaining final land development approval, Applicant shall exhibit an agreement with the Milford Township Water Authority (MTWA) that provides that Applicant shall extend the water main along its frontage on Quaker Pointe Drive at its own expense as depicted on Sheet C-6.0 of the Preliminary Plans dated December 11, 2019 for a total distance of approximately eighty-five (85) feet and connect to the MTWA main with construction to occur prior to the issuance of a Use and Occupancy Permit and prior to the commencement of the 18 month maintenance period for this land development. Applicant shall exercise due care in performing the extension of the water line and shall comply with all Federal and State laws and regulations concerning crossing the existing gas lines, as well as compliance with the terms of the gas easement. The Milford Township Water Authority shall be responsible for extending the water line approximately 90' to the south from the point of extension by the Applicant to an existing terminus valve located on Quaker Pointe Drive. Applicant shall work in concert with the Milford Township Water Authority and Milford Township to perform the aforementioned extension. All work shall be performed in a workmanlike manner and to the standards established by the Milford Township Water Authority.

13. Prior to the recording of the Record Plans for this land development, the Applicant shall provide satisfactory evidence to the Township in the form of an easement between the owners of the Property and the owners of Tax Map Parcel Numbers 23-010-021-007 and 23-010-021 that the Property has the right to utilize the stormwater detention basin and related facilities on adjoining TMP Nos. 21-010-021 and 21-010-021-007. Applicant shall execute a stormwater management facilities maintenance and monitoring agreement prepared by the Township Solicitor that provides for the operation, maintenance and repair of same by the Applicant. The stormwater management facilities maintenance and monitoring agreement shall also provide for Milford Township to have access and restore the stormwater drainage easement facilities in the event the Applicant or Owner of the adjoining property fail to perform required obligations.

14. Prior to the recording of the Record Plans for the proposed land development, and in lieu of performing a traffic impact study for the land development, Developer shall contribute to Milford Township the sum of thirty thousand (\$30,000.00) dollars, which sum shall be deposited into the Township's Transportation Capital Improvement Fund and will be used for capital improvements on roads in the Township, and if applicable, to be utilized for the Township's desired reconfiguration of the exiting intersection of New Road and Quaker Pointe Drive. This conditional use approval and decision shall constitute a waiver of the SALDO requirement that a traffic impact study be provided.

15. Prior to the recording of the Record Plans, Applicant shall provide satisfactory evidence that it has obtained a 20 feet wide emergency access easement from the owner of adjoining TMP No. 23-10-21 as shown on the Plans.

16. Developer agrees to contribute to the Milford Township Fire Company the sum of two thousand dollars (\$2,000.00) upon the issuance of the Use and Occupancy Permit for the hotel on the Property and to pay the same amount per year for the next nine (9) years on or about the same date for a total contribution of Twenty Thousand Dollars (\$20,000.00). To the extent that the height of the proposed hotel exceeds 35 feet, the prior variances shall apply and no additional variance relief shall be necessary or required for the subject hotel.

17. In light of footnote 1, above, Applicant agrees to reimburse the Township for its legal fees for the subject application in an amount not to exceed \$10,000.00

18. Prior to commencement of any construction, the applicant shall establish compliance with all other conditions of the subdivision and land development approval when same is obtained.

A discussion was had regarding the proposed emergency access. Mr. Courduff stated he is not in favor of the emergency access as presented. Mr. Courduff recommends Chief Butler, Milford Township Volunteer Fire Company, perform a review of the plan. Mr. Melham stated the plan will comply with the Fire Departments comments. Further discussions will take place during land development.

With there being no further comments the Conditional Use Hearing was closed at 7:58 p.m.

A **MOTION** was made by Mr. Courduff, seconded by Mr. Mininger, and unanimously passed, to approve the Conditional Use Application in compliance with the conditions listed within. Mr. Courduff made a **MOTION** to approve the Conditional Use Application of Quaker Pointe Hotels, LLC for a proposed Hotel use with the following conditions; Apply for and obtain Land Development approval; Compliance with all regulations set forth in the Arterial Mixed Use Overlay District; Compliance with Conditions set forth in the Conditional Use approval. The motion was seconded by Mr. Mininger and passed unanimously.

LifeQuest Fifth Revised Unified Master Plan, John Fries Highway-Adjustment of boundary lines and expansion of the AMU area. Ms. Harper opened the Conditional Use Hearing at 8:02 p.m. The hearing has been continued. The Applicant has submitted a request for continuance through March 31, 2020. The hearing was closed at 8:04 p.m.

Ordinance(s):

Mr. Vey presented Ordinance No. 176 to the Board. The proposed Ordinance addresses a revision to the existing Non-Uniform Pension Plan. Section 5.02 of the Pennsylvania Municipal Retirement System Defined Benefit Plan states the Amount of Superannuation Retirement Pension has a current rate of 1% where the proposed rate will be increased to 1.5%. It was stated that the Pension Plan is currently funded with state funds. A discussion was had regarding the age of retirement and early retirement as stated in the Plan. Mr. Courduff stated he would like to review the Cost of Living Adjustment which is offered at the discretion of the Township and currently not offered as part of the Plan.

ORDINANCE NO. 176

AN ORDINANCE OF MILFORD TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES. IT IS HEREBY ORDAINED BY MILFORD TOWNSHIP, BUCKS COUNTY, AS FOLLOWS:

SECTION I. Milford Township (the Township), having established a non-uniform pension plan administered by the Pennsylvania Municipal Retirement System (the System), hereby elects to amend its Non-Uniform Pension Plan administered by the System in accordance with Article IV of the Pennsylvania Municipal Retirement Law, 53 P.S. §881.101 et seq. (Retirement Law), and does hereby agree to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §895.101 et seq., and to assume all obligations, financial and otherwise, placed upon member municipalities.

SECTION II. As part of this Ordinance, the Township agrees that the System shall administer and provide the benefits set forth in the amended Non-Uniform Pension Plan Document entered into between the Pennsylvania Municipal Retirement Board and the Township effective as of the date specified in the adoption agreement (the Contract).

SECTION III. The Township acknowledges that by passage and adoption of this Ordinance, the Township officially accepts the Contract and the financial obligations resulting from the administration of the Contract.

SECTION IV. Payment for any obligation established by the adoption of this Ordinance and the Contract shall be made by the Township in accordance with the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act. The Township hereby assumes all liability for any unfundedness created due to the benefit structure set forth in the Contract.

SECTION V. The Township intends this Ordinance to be the complete authorization of the Contract, as amended and it shall become effective as of the date specified in the adoption agreement, which is the effective date of the Contract, as amended.

SECTION VI. A duly certified copy of this Ordinance and an executed Contract shall be filed with the System.

Mr. Strunk made a **MOTION** to approve Ordinance No. 176. The motion was seconded by Mininger and passed unanimously.

Escrow Release:

Edward Voce, TMP# 23-002-047/048, 2115 Eberhardt Road- Final Escrow Release in the amount of \$500.00 closing the escrow account due to project completion.

Mr. Strunk made a **MOTION**, seconded by Mr. Mininger and passed unanimously, to approve final escrow release in the amount of \$500.00.

Public Comments:

There was no public comment at this time.

Adjournment:

With there being no further business Mr. Strunk adjourned the January 6, 2020 meeting at 8:21 p.m.

Respectfully Submitted,

Devan Ambron, Secretary/Treasurer