

**Milford Township Board of Supervisors’  
Minutes of January 4, 2021 Reorganizational Meeting**

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**Call to Order:** Chairman Charles Strunk called the meeting to order at 7:07 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager;

**Appointment of Temporary Chair and Temporary Secretary:**

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

**Nomination of Permanent Chair and Vice Chair**

Upon nomination by Mr. Mininger, seconded by Mr. Courduff, 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. Strunk, 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 presented the Board with the list of Appointments, Reappointments and Modifications of Appointments for 2021.

		<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	
Designation of Official Depository	PLGIT, QNB, TD Bank and Uninvest	
Code Enforcement	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)	Cameron Waite, Vice	12/31/2023
	William J. Buchanan (Alternate)	12/31/2022
Zoning Hearing Board Solicitor	High Swartz LLP, Thomas E. Panzer, Esquire	
Vacancy Board (1-Year Term)	Stephen Shelly	12/31/2021
Planning Commission (4-Year Term)	Fran Murray	12/31/2024
Park and Recreation (5-Year Term)	Carol Monahan	12/31/2025
Building Code of Appeals (3-Year Term)	Estelle Eberhardt	12/31/2023
Milford Township Water Authority (5-Year Term)	Arnold Mancini	12/31/2025
Milford Trumbauersville Area Sewer Authority (5-Year Term)	Robert Smith	12/31/2025

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-01**, Appointments, Reappointments and Modifications of Appointments. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2021-02**

Mr. Strunk stated the earned income tax rate for 2021 remains 1.75% which is divided between the following entities: 1% to the Quakertown Community School District, 0.50% to Milford Township General Fund, and 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. 2021-02**, Establishing the Earned Income Tax Rates for 2021. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2021-03**

Mr. Strunk 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 not been increased in over forty years.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-03**, Levying a Tax Upon Real Property. The motion was seconded by Mr. Courduff, and passed unanimously.

**Resolution No. 2021-04**

Mr. Strunk stated the fee schedule, as discussed at the last meeting, includes an amendment to the Building/General Permit Fee Schedule. The Fee Schedule has been revised to allow for one Schedule for Building Permit Fees, Electrical Permit Fees, Plumbing Permit Fees, and Mechanical Permit Fees. Mr. Courduff questioned Mr. Cordero on how new construction of a single-family home will be computed. Mr. Cordero stated the same rate is used in computing the fees in square footage. Mr. Courduff further questioned Mr. Cordero on the fees assessed for sprinkler heads inspections. Mr. Cordero stated fees are assessed on the time it takes to perform the inspection, not necessarily on the number of sprinkler heads being inspected.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-04**, Fee Schedule for Service. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2021-05**

Mr. Strunk 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. 2021-05**, Street Light Assessment. The motion was seconded by Mr. Mininger and passed unanimously.

Mr. Courduff was nominated by Mr. Strunk as the Voting Delegate for Milford Township at the 2021 PSATS Convention being held at Hershey Lodge on April 18 through April 21, 2021. Mr. Courduff stated it is unknown at this time if the meeting will be a virtual meeting or an in person meeting at this time. If the meeting is held as an in person meeting Mr. Courduff stated he would assess his attendance at that time.

Mr. Strunk made a **MOTION** to nominate Mr. Courduff as the Voting Delegate of Milford Township at the 2021 PSATS Convention being held on April 18<sup>th</sup> through April 21, 2021. Mr. Mininger seconded the motion.

With their being no further business, Mr. Strunk adjourned the reorganizational meeting at 7:16 p.m.

**Milford Township Board of Supervisors’  
Minutes of January 4, 2021 Meeting**

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**Attendance:**

Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Andersen Engineering; Catherine Harper, Township Solicitor; David Winkler, Public Works Department; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager.

Chairman Strunk called the Regular Meeting of the Milford Township Board of Supervisors to order at 7:17 p.m.

**Approval of Minutes:**

Mr. Courduff made a **MOTION** to approve the Board of Supervisors Meeting Minutes of December 1, 2020 & December 15, 2020 as written. Mr. Mininger seconded the motion. The motion passed unanimously.

**Financial Report:**

Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasure’s Report of November 30, 2020. Mr. Mininger seconded the motion. The motion passed unanimously.

**Land Development:**

**Swartley 3-Lot Subdivision, Sketch Plan, 1450 Allentown Road, TMP#23-021-050**, Ms. Cynthia Smith of Horizon Engineering was in attendance to present the proposed plan of subdivision on behalf of the owners James and Evelyn Swartley and Dennis Swartley. The Applicant(s) proposes to subdivide a 12.93-acre parcel located along the western side of Allentown Road, north of Elm Avenue, into three single-family detached lots. Lot 1 would consist of 2.77-acres and will contain an existing nonconforming dwelling and two detached garages. Lot 2 would consist of 3.01 acres with a proposed single-family dwelling with required improvements. Lot 3 would consist of 6.59-acres with a proposed single family detached dwelling and required improvements. The site is to be served by individual on-lot wells and public sewer. Ms. Smith stated wetland and woodland areas are present. Any waivers requested will be addressed at the preliminary phase.

Mr. Courduff stated there are concerns with stormwater in the general area of the site. The site also contains a substantial area of wetlands and watercourses. There have been problems downhill in the area of Yankee and Allentown Roads that has been mitigated by many measures over the years. This site contributes to the potential flooding of that area. With installation of impervious surface, greater problems could be created. This area must be addressed. Mr. Strunk stated the designation of Waters of the US should be verified and labeled appropriately on the plan. Ms. Smith stated she would look at the stormwater calculations closely.

Mr. Vey stated the site capacity calculations should indicate that 3.78 acres of open space are required and a determination of how this requirement will be met. Discussed at this time was the possible donation of the rear most portion of proposed Lot 3, which is an odd shaped area. It was asked if the owner(s) have had a discussion regarding the donation of this piece of property. The Township is in ownership of open space land that is adjacent to this piece of property. Ms. Smith stated a conversation regarding the donation for open space purposes would be discussed.

Mr. Strunk asked Mr. Winkler if clearing of the right-of-way would be required. Mr. Winkler stated most of the trees present are located under the existing wires. A discussion was had regarding the proposed driveways. Mr. Strunk stated Lots 2 and 3 should combine their driveways into a single access at Allentown Road. If necessary a waiver of the SALDO requirements for a 5ft driveway setback may be requested. Mr. Vey stated the Board of Supervisors might be favorably disposed to grant a SALDO waiver of the 5ft driveway setback to allow the combination of driveways to happen. Mr. Vey noted that the Milford Township Planning Commission pointed out that Lot 3 has a long drive that should anticipate vehicles coming from each direction that will need to pass. The drive appears to be too close to one corner and should make provisions for vehicles to pass.

With there being no further discussion at this time it was noted that the proposal was found to generally conform with the density provisions of the Zoning Ordinance, but was found to lack conformance with the required open space provisions found in section 501 of the Zoning Ordinance. Additionally, the design needs to demonstrate

compliance with subdivision and land development regulations and to satisfactorily address the issues raised in the review letters of Andersen Engineering and the Bucks County Planning Commission. Any waiver requests will be considered with future Plan submissions.

### **Quaker Pointe Hotel, 1915 John Fries Highway, TMP#23-010-021-001-Tabled**

#### **Correspondence:**

Mr. Mininger presented the Bucks County Airport Authority November 2020 Meeting Minutes. Mr. Mininger stated the multimodal grant application has been submitted. Mr. Mininger reported the PennDOT comments have been addressed for the obstruction clearing agreement with Milford Township. A preliminary bid meeting will be scheduled. Mr. Mininger stated he would like to see the obstructions removed before the spring when the leaves start coming out, which is also a good time of year to replant.

Mr. Vey presented the Bucks County Planning Commission Annual Household Hazardous Waste Program commitment renewal. A three-year contract to was put into place running from 2017-2020 to contribute to the County run, regional Household Hazardous Waste Program. Due to the unprecedented times, as a result of the COVID-19 pandemic, the Bucks County Planning Commission has requested communities to extend the commitment through 2021. A contribution in the amount of \$1,327.32 has been requested.

Mr. Strunk made a **MOTION** to approve a contribution in the amount of \$1,327.32 to the Bucks County Planning Commission Household Hazardous Waste program for 2021. Mr. Courduff seconded the motion, the motion passed unanimously.

Mr. Vey presented an Eagle Scout Project proposal for Molasses Creek Park. Mr. Juszynski proposes to rehab the five workout stations located in the lower area of the park. The proposed project encompasses all five stations and would consist of building platforms, to prevent patches of mud and dirt, for the stations to stand on similar to the foundation of the other workout section of the park. The project would also include sanding a repainting the actual stations as well as repairing the sign located at each workout station. Mr. Strunk stated Mr. Juszynski should coordinate with Mr. Winkler to discuss the details such as paint color and materials to be used. Mr. Winkler stated he feels this is a good project to complete.

#### **Other Business:**

Mr. Vey presented the Board with the RACP Grant for St Luke's Redevelopment Assistance Capital Grant. Mr. Vey stated the township would act as a pass-through for the 2.5 million dollar funding for the building of the future addition. Mr. Courduff asked Mr. Vey what the Township's involvement would be. Mr. Vey stated the involvement would be strictly administrative. Mrs. Harper stated she has reviewed the agreement and the agreement has been revised to hold the township harmless. The grants in this situation are more reimbursements. Mr. Courduff asked Mrs. Harper if the township would definitely be held harmless. Mrs. Harper said yes, the Township would be held harmless.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-07** Redevelopment Assistance Capital Grant in the amount of Two Million Five Hundred Thousand Dollars (2,500,000.00) on behalf of St. Luke's Health Network. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Vey presented the Board with the Milford Village Alpas Wellness Campus Sewage Facilities Planning Module. Mr. Courduff asked Mr. Andersen if it was found to be in compliance. Mr. Andersen stated it was and it is found to be acceptable for approval.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-06** Resolution for Sewage Facilities Planning Module for Alpas Wellness Campus. Mr. Courduff Seconded the motion. The motion passed unanimously.

Mr. Vey presented the Georgiadis Deed of Dedication of right-of-way for the property located at 2080 Esten Road. Mr. Winkler stated the Esten Road and Wright Road right-of-way have been cleared as required by the approval of subdivision.

Mr. Courduff made a **MOTION** to accept the Georgiadis Deed of Dedication of right-of-way for the property located at 2080 Esten Road, TMP Nos. 23-020-060-001, 23-020-159, and 23-020-159-001. Mr. Strunk seconded the motion. The motion passed unanimously.

### **Reports:**

**Code Enforcement:** Mr. Cordero presented the Code Enforcement Report for December 2020. A total of 15 permits were issued in December: 4 zoning permits, 6 residential renovation permits, 4 residential accessory permits, and 1 commercial permit. A total of 14 Use & Occupancy permits were issued and no fire inspections were performed. Mr. Cordero stated fire inspections will resume this month.

**Public Works Department Reports:** Mr. Winkler presented the Public Works Departmental report for December 2020. Mr. Winkler stated the Public Work crew spent a lot of time this month cleaning up from storm damage. Seven Douglas Fir trees were planted in the open space at Valley View Two and finished putting up snowplow stakes throughout the township. The crew replaced 36" cross pipe on Mill Pond Road. The crew had to patch close to 14 water boxes and 6 manholes on the new section of Mill Hill Road. Salting and plowing occurred one time this month. Mr. Winkler stated he was out to the Beechwood Acres development prior to the recent heavy rainfall to ensure the drainage areas were open. Repairs were made to the drainage on Mill Hill East. Mr. Vey stated an invoice for the repairs will be send to LifeQuest. Mr. Winkler stated the bridge replacement on Upper Ridge Road in the area of Finland Road has been completed and is open at this time. Mr. Winkler stated PennDOT has seen the project through. Mr. Winkler stated the crew completed two rounds of salting and 2 rounds of plowing with the winter storm. Mr. Courduff asked Mr. Winkler if brine is used on township roads. Mr. Winkler stated it is not and he does not see any benefits in the use of brine as it is mainly used for high volume roads. Mr. Miner stated depending on the temperature the use of brine could potentially create black ice.

**Milford Fire Company Reports for December 2020:** Chief Butler presented the Milford Fire Company report for December. A total of 18 calls were received: 2 structure, 1 rescue, 8 fire alarms, 1 hazmat, 2 mutual aid, and 4 miscellaneous calls. The MTVFC continues to meet with Trumbauersville Fire Company on a regular basis and the dual response for the daytime has been working great. Richland Township would like to meet. Mr. Butler stated they are hoping to meet sometime in March. Mr. Butler stated they have been talking with Tylersport Fire Company for the Turnpike calls. The Fire Company continues to peruse the purchase of new computers tablets and/or iPads for the frontline apparatus. The Fire Company is also looking to replace the Deputies vehicle and looking into purchasing a vehicle for the Assistant. The AFG grant was not received this round even after using a professional grant writer. Mr. Butler stated he will be reaching out to Toomey and Casey about not receiving anything for the SFG for the last 7 years. The Fire Company will be completing the Bi-Annual Fire Response review this year. The Fire Company will be meeting with the County Radio Room to go over the new dispatch system. The Fire Company has been keeping an eye on some of the business in the township as they have been blocking the fire hydrants. Mr. Butler stated the year-end report for 2020 will be given at the February Board of Supervisors meeting.

Mr. Strunk stated the Trumbauersville Fire Company Report for December 2020 is available for review.

**Manager Reports:** Mr. Vey stated the Township Hough Associates has submitted for the annual Recycling Performance Grant and the Township will be awarded \$20,617.

Mr. Vey reported the Department of Conservation and Natural Resources notified the township that the requested Splash Pad and Splash Pad Parking Expansion Grants were not awarded. This was the second year in a row the township was not selected to be awarded the grant.

Mr. Vey stated the PA Turnpike Doerr Road Vacation continues to be discussed at this time. Mr. Courduff has requested a more accurate description of the access road. Mr. Vey stated a description will be obtained. Mrs. Harper stated the proposed agreement involves the vacation of a portion of Doerr Road. This should be pure mechanics. Mr. Courduff asked Mrs. Harper if additional information for the neighboring properties is required. Information was given previously, and good discussions were had. Mr. Courduff stated it may be good to put detailed information on the township website. Mrs. Harper inquired if there were any serious objections given previously. Mr. Vey stated there were few concerns not objections. Mr. Strunk noted on page 4, Chapter 11 of the Agreement it is stated that the township agrees to hold the Commission harmless once the improvements are completed. Mr. Strunk asked if the Commission would enter into an 18-month maintenance period. If the township is to maintain Mr. Courduff stated he would like to have Andersen Engineering inspect prior to the possession of the township.

**Escrow Release:**

Mr. Strunk made a **MOTION** to approve the escrow release request for the Georgiadis, Minor Subdivision for the property located at 2080 Esten Road, TMP Nos. 23-020-159, 23-020-159-001, and 23-020-160-001. Mr. Courduff seconded the motion. The motion passed unanimously.

**Public Comments:**

Mrs. Ambron stated there was not public comment received.

**Adjournment:**

With there being no further business Mr. Strunk made a MOTION to adjourn the January 4, 2021 regular meeting of the Milford Township Board of Supervisors at 8:17 p.m. Mr. Strunk announced the Board will meet in executive session to discuss personnel issues.

## **Milford Township Board of Supervisors' Meeting Minutes of February 2, 2021**

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**Call to Order:** Chairman Charles Strunk called the meeting to order at 7:00 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager;

**Approval of Minutes:**

Mr. Courduff made a **MOTION** to approve the Board of Supervisors Re-Organization Meeting Minutes of January 4, 2021 along with the regular scheduled Meeting Minutes of January 4, 2021 with minor clerical changes. Mr. Mininger seconded the motion. The motion passed unanimously.

**Financial Report:**

Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasure's Report of December 2020. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Courduff made a **MOTION** to authorize the annual contribution distribution to the volunteer fire companies as follows: Milford Township Volunteer Fire Company annual contribution in the amount of \$28,000 to be distributed in quarterly payments of \$7,000 along with a one-time equipment purchase allocation in the amount of \$12,600. Trumbauersville Volunteer Fire Company annual contribution in the amount of \$14,000 to be paid in quarterly payments of \$3,500 along with a one-time equipment purchase allocation in the amount of \$6,200. Richland Township Fire & Rescue Company annual Contribution in the amount of \$2,800 to be paid in quarterly payments of \$700 along with a one-time equipment purchase allocation in the amount of \$1,200. Mr. Strunk seconded the motion. The motion passed unanimously.

Mr. Courduff made a **MOTION** to authorize the annual contribution schedule to the Senior Center. The contributions shall be paid monthly at \$500 per month. Mr. Strunk seconded the motion. The motion passed unanimously.

**Announcements:**

Mr. Cordero stated the Milford Township Zoning Hearing Board would meet Tuesday, February 2, 2021 to hear the application of Milford Township/ Bull Dog Insulation the property located at 1981 Trumbauersville Road, TMP# 23-020-058-001 in the RP zoning district. The Applicant seeks a Special Exception under Section 808, to allow a change in Non-conforming use from a tractor supply sales and repair to a contracting insulation business. Mr. Vey stated the Planning Commission has conducted a review of the application and has made a recommendation that the applicant be required to install proper screening around the trash collection area along with the installation of a port-a-potty, which shall also be properly screened.

The application of David Dawidowicz for the property located at 2119 Barley Drive, TMP# 23-004-068, in the SRM zoning district. The Applicant seeks a Special Exception to allow a home occupation for a professional office for the business as a broker of firearms and ammunition. The Board took no action on the application.

The application of Jeffrey and Antoinette Arner for a Variance from section 404 H2 to allow the construction of a garage at a height of 22 feet 6 inches where 18 feet is permitted. Located at 2095 Keiper Rd., TMP# 23-001-074-001 in the RA zoning district. The Board took no action of the application.

**Conditional Use:**

St. Luke's Hospital, Sixth Revised Master Plan- St. Luke's West Wing Expansion, 3000 St. Luke's Drive, TMP# 23-015-115-003. Mrs. Harper opened the hearing. No parties were presented other than the applicant. It was stated that many items found in review of the Conditional Use review are relevant to proposed land development. Mr. Bubba presented a brief overview of the proposal. St. Luke's is the owner of 36.8 acres located in the AMU Zoning District. The previously

approved Master Plan allotted for a Hospital to be constructed totaling 250,000 square feet. St. Luke's has constructed a hospital totaling 132,000 square feet and now seeks approval to construct an 118,000 square foot addition to the existing hospital. Mr. Bubba stated the proposal complies with Section 1108 of the Zoning Ordinance. Mr. Bubba further stated the plan before the Board tonight is nearly identical to the approved Fifth Revised Master Plan which shows the footprint of the proposed addition. It was further stated that all requirements have been met and the proposed use is a permitted use. Mr. Burns of Langan Engineering stated there are no changes in the proposed use of the existing hospital. The circulation for emergency vehicles remains the same as well as the both the main entrance and Portzer Road entrance. The parking area remains to be located in the front of the building as requested following concerns raised in the previous approval process. Mr. Burns presented a rendering of the completed hospital along with the completion of the proposed West Wing Expansion. The rendering illustrates the view of the property from the neighboring Black Ledge development over the next ten years. Mr. Burns stated a trail for public use is proposed as part of this plan.

Mr. Bubba stated a capacity letter from the Milford Trumbauersville Area Sewer Authority has been received by the applicant stating capacity is available for the site. Mr. Bubba stated the traffic plan and overall improvements plan, previously approved by a conditional use approval, have been constructed and are bonded with a letter of credit. The previously approved Mill Hill Road will be completed and the applicant will extend Mill Hill Road East Extension to the property line. Mr. Bubba stated the applicant will construct and bond all traffic improvements.

Mr. Martin of St. Luke's stated there is a need for the hospital to expand. The emergency department has experienced a large increase in patient visits. The West Wing Expansion will add a cancer program as well as a maternity ward. Mr. Martin stated financing for the expansion has been secured. The improvements to Rt. 663 along with Mill Hill Road East were put on hold, along with all capital improvements due to the COVID pandemic.

Mrs. Vigilante of Langan Engineering presented the traffic improvement plan for the site. Mrs. Vigilante stated the traffic impact study was updated for the proposed expansion. It was stated that proposed driveway "B" is not required or needed for the West Wing Expansion proposal to move forward. Driveway "B" is not needed to provide access to the hospital or expansion. Completion of Mill Hill Road East will occur as part of the land development plan. Mr. Burns stated Mill Hill Road East will be constructed to the edge of the St. Luke's property line and LifeQuest will construct to the boundary line. Mr. Andersen of Andersen Engineering noted the plans submitted to the township for review show a gap in the road between the St. Luke's property and LifeQuest property. Mr. Burns stated St. Luke's will construct Mill Hill Road East to the boundary line. Mr. Smith, engineer for LifeQuest, stated LifeQuest will construct Mill Hill Road East to the boundary line. He further stated a gap was not meant to be located on the plan. The engineers will work together and share the permitting needs. Mr. Smith assured the Board that Mill Hill Road East would be constructed to each property line. Mr. Strunk stated the Mill Hill Road East tee intersection is not acceptable and it should be a curved roadway. Mr. Burns stated the roadway is designed to end at a stop sign to prevent vehicles from speeding. Mr. Strunk again stated he does not find the configuration of the roadway acceptable to the township. Mr. Strunk inquired as to the location of the proposed trail, which is shown across the southern side of Mill Hill Road East. Mr. Andersen stated the trail should be located on the north side of Mill Hill Road East. Mr. Burns stated with this current design it is better to have a signalized stop for pedestrians utilizing the trail as they will cross to the north side of Mill Hill Road East following around until the connection with Black Ledge Estates. If the roadway were constructed with a soft curve, pedestrians would have to navigate without a traffic stop. Mr. Bubba stated there would be no issues with relocating the trail to the north side and that the engineers would coordinate.

Mr. Strunk stated driveway "B" should be removed. Mr. Bubba stated the applicant would take direction offered by the Board. Mr. Courduff asked Mr. Martin if additional buffer would be made to the berm located between St. Luke's property and Black Ledge Estates. Mr. Martin stated the residents of Black Ledge Estates have requested evergreen trees rather than deciduous trees. Mr. Courduff asked Mr. Martin what type of security the hospital utilizes, internal security or the Pennsylvania State Police. Mr. Martin stated the hospital does utilize internal security as well as the Pennsylvania State Police. Mr. Courduff inquired as to how many calls occur in a month. Mr. Martin stated not all calls are significant and estimated one call per month. Mr. Courduff asked Mr. Martin how DUI's are handled. It was stated that if brought in by ambulance the incident is treated right away. If a police officer accompanies the officer will handle. There is 24-7 security on site. Mr. Martin stated there have not been as many calls since the hospital was moved to its new location.

Mr. Strunk the hearing would remain open until the March 2, 2021 Board of Supervisors Meeting. Mr. Strunk stated the applicant should submit revised plans for review prior to the meeting. Mr. Bubba asked what should be done with driveway "B". Mrs. Harper stated the Board was very clear that driveway "B" be removed from the plan. Mr. Markward stated driveway "B" cannot go away that easily and needs to stay on the plan. Mr. Markward further stated driveway "B" was part of the approval for Alpas Wellness Center. Mr. Bubba has requested driveway "B" be handled as a note on the plan. With there being no further discussion at this time Mrs. Harper closed the hearing at 8:49 p.m.



### **Subdivision/Land Development:**

**St. Luke's Hospital, West Wing Expansion, Preliminary Plan of Land Development**, 3000 St. Luke's Drive, TMP# 23-015-115-003. The Applicant, St. Luke's Hospital proposes to construct a three-story, 118,000 square foot expansion to the existing 132,000 square foot hospital. The hospital will have a total of 189 beds. A total of 22.90 acres of private open space will remain. Public water and sewer facilities serve the site.

Mr. Bubba stated he sees the same issue with the review of the land development plan at this time, in regard to driveway "B". Mr. Bubba stated Mr. Burns would work behind the scenes with Mr. Andersen to create a clean plan for review at the next meeting. Mrs. Harper stated it has been noted that a water main is proposed to be located under the expansion. Mr. Martin stated the water main will be moved and would not be located under the building. Mr. Andersen stated revised plans must be submitted showing the design of Mill Hill East and associated storm sewer; a problem exists with the connection of the emergency road that connects to Mill Hill Road, as well as revision of the location of the waterlines. Mr. Burns stated there are a number of minor engineering items that will be revised. The waterlines will be rerouted and shown on the revised plan. Mr. Courduff asked who would be responsible for the stream crossing and who would be paying for it. Mr. Smith stated it would be easier and faster if the stream crossing permitting is handled by LifeQuest. Mr. Smith stated an amendment would be made to the NPDES permit and feels it better if one entity builds the entire section of roadway. St. Luke's has agreed to pay half of the fees and allocated costs. Mr. Courduff asked if the permit would carry for the Rt. 663 widening as well. Mr. Burns stated no, the widening of 663 near Portzer Road would be covered under St. Luke's NPDES permit. There were no further comments at this time. Further review of the plan was tabled until the March 2, 2021 Board of Supervisors meeting.

### **Correspondence:**

Mr. Mininger presented the Bucks County Airport Authority December 9, 2020 Meeting Minutes. Mr. Mininger stated the clearing project continues to move forward. The Obstruction Removal Agreement by and between Milford Township and the Airport Authority is currently under review. Once approved, the tree-clearing project will go out to bid.

Mr. Vey presented the QAPC December 8, 2020 Meeting Minutes. Discussed at the meeting was the proposed Preliminary Plan of Land Development for the Gorski New Road Warehouse project. The Committee agreed to endorse the recommendations in the Buck County Planning Commission review letter dated December 4, 2020. The Committee expressed concern over stormwater that would be generated on the site since the proposal includes a significant amount of impervious surface. A recommendation was made that assurances be made that the proposed stormwater facilities be able to control runoff for the site and that runoff will not impact adjacent properties.

Mr. Vey reported the Minutes of the Meeting of the Milford Township Water Authority held on October 13<sup>th</sup>, November 10<sup>th</sup>, and December 8, 2020 are available for review. At the meeting of December 8<sup>th</sup> Mr. Koenig reported a "will serve" letter would be issued to Gorski Engineering for the proposed New Road Warehouse. The proposed Turnpike widening project near 663 may pose a potential conflict with the Authority's water main. A resolution to the potential conflict is being discussed with the Water Authority Engineer and the Township.

Mr. Vey reported the Minutes of the Meeting of the Milford Trumbauersville Area Sewer Authority held on October 19<sup>th</sup>, November 16<sup>th</sup> and December 21, 2020 are available for review.

### **Reports:**

**Code Enforcement:** Mr. Cordero presented the Code Enforcement Report for January 2021. A total of 12 permits were issued in January: 3 zoning permits, 3 residential renovation permits, 3 residential accessory permits, 1 single family dwelling permit, and 2 commercial permit. A total of 8 Use & Occupancy permits were issued and 11 fire inspections were performed.

**Public Works Department Reports:** Mr. Winkler presented the Public Works Departmental report for January 2021. Mr. Winkler stated the Public Work Department began the month replacing road signs and updating the sign inventory. The crew went through the traffic light maintenance inspection report and replaced the signs that were faded and missing. A few signs had to be ordered to replace those on the median on 663. Once received, the signs will be replaced. The crew replaced broken and missing split rail fencing along the trails. All the grates were cleaned of locust tree pods in the Valley

View Development. The crew went out to salt three times and did not need to plow this month. Mr. Winkler stated 1,000 tons of salt has been ordered and this amount will just about fill the salt shed.

**Milford Fire Company Reports for December 2020:** Chief Butler presented the Milford Fire Company report for January 2021. A total of 13 calls were received: 3, motor vehicle accidents, 1 brush fire, 5 fire alarms, 2 hazmat, and 1 mutual aid calls. The MTVFC continues to meet with Trumbauersville Fire Company on a regular basis. The dual response for the daytime has been working great. A meeting will be set with Richland Township to set up the same type of dual response plan. The Fire Company will be submitting to the AFG for portable radios. There are issues with the current fire ground radios not operating properly in larger buildings. The price of the radios is \$6,000 each. The Fire Company will perform the bi-annual Fire Response this year.

**Agricultural Security Area:** Mr. Courduff stated the Agricultural Security Area Advisory Committee met in person on January 20, 2021. Mr. Kletzing gave a presentation of the capabilities of the Township's drone. Mr. Kletzing provided footage of the Heimbach property that showed areas in the beginning of erosion and planting that are too close to riparian corridors. Mr. Courduff stated this process will obviate the need for the entire committee to physically inspect each property approved for lease.

**Manager Reports:** Mr. Vey stated the Elected Board of Auditors held their annual meeting on Tuesday, January 5, 2021 where the compensation rate for any elected official employed by the township was set at \$23.83 per hour.

Mr. Vey reported the MS-965 Actual Use Report of State Funds has been completed and submitted to the State. The equipment balance carried forward to next year's report totals \$129,526.08

Mr. Vey reported Gorski Engineering has submitted to the township a Sewage Facilities Planning Module for the proposed New Road Warehouse.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-08**, Resolution for Plan Revision For New Land Development for Gorski New Road Warehouse. Mr. Mininger seconded the motion and the motion passed unanimously.

Mr. Vey stated AECOM has requested several right-of-way acquisitions for property needed for the widening of the turnpike. A total of .825-acres has been requested for purchase and a total of .237-acres has been requested for temporary construction easement(s). The Pennsylvania Turnpike Commission has offered Milford Township the sum of \$8,700.00 for the acquisition and temporary easement access of these properties.

Mr. Mininger made a **MOTION** to approve the right-of-way acquisition proposal by and between the Pennsylvania Turnpike Commission and Milford Township as presented. Mr. Strunk seconded the motion. The motion passed unanimously.

Mr. Vey reported the Pennsylvania Department of Transportation has offered the township \$10,800.00 for the right-of-way required for the construction of the proposed Portzer Road roundabout. A total of 0.194 acres of required right-of-way and .267 acres of temporary construction easement have been requested.

Mr. Mininger made a **MOTION** to approve the right-of-way acquisition proposal by and between the Pennsylvania Department of Transportation and Milford Township as presented for the land required for the construction of the Portzer Road roundabout. Mr. Strunk seconded the motion. The motion passed unanimously.

Mr. Kletzing stated he has received three quotes for the installation of security cameras for Unami Park and the Municipal Complex. He would recommend moving forward with Unami Creek Park. The price ranges from \$4,400 to roughly \$5,800. The middle quote is a better quality camera and includes a total of 4 cameras. The cameras will be mounted at the rest room area and will cover the parking lot, playground area, and rear side of the restrooms. Mr. Courduff asked Mr. Kletzing which quote he recommends. Mr. Kletzing stated he would like to go with the quote #2 provided by Kriebel Security who also provides security for the Township Building. Mr. Strunk asked if the footage could be accessed remotely. Mr. Kletzing stated at this time the footage would need to be retrieved directly from the camera

system. The video is stores for three weeks. The cameras are government approved and NDAA compliant. Mr. Vey stated next year the Municipal Complex that includes the Township Building, Molasses Park, and the Public Works Building should be considered at budget time.

Mr. Strunk made a **MOTION** to approve the purchase and installation of a security system provided by Kriebel Security for Unami Park. Mr. Courduff seconded the motion. The motion passed unanimously.

**Escrow Release:**

Mr. Strunk made a **MOTION** to approve Escrow Release request #5 for Naplin Four Limited Partnership, LP, TMP #23-015-118, in the amount of \$190,594.80 leaving a balance of \$157,592.44. Mr. Mininger seconded the motion. The motion passed unanimously.

**Public Comments:**

Mrs. Ambron stated public comment was not received.

**Adjournment:**

With there being no further business Mr. Strunk made a MOTION to adjourn the February 2, 2021 regular meeting of the Milford Township Board of Supervisors at 9:29 p.m. Mr. Strunk announced the Board will meet in executive session to discuss personnel issues.

## **Milford Township Board of Supervisors'** **Meeting Minutes of March 2, 2021**

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**Call to Order:** Chairman Charles Strunk called the meeting to order at 7:01 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager

**Approval of Minutes:**

Mr. Courduff made a **MOTION** to approve the Board of Supervisors Meeting Minutes of February 2, 2021 as written. Mr. Strunk seconded the motion. The motion passed unanimously.

**Financial Report:**

Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasure's Report of January 2021. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Strunk made a **MOTION** to approve the following changes to the TD Bank account held by Milford Township, Ms. Awckland and Mr. Vey are to be removed from all accounts and Devan Ambron, Secretary/Treasurer is to be added as account manager and signer of checks and Nichole Mallery, Financial Assistant is to be added as an authorized signer of checks. Mr. Courduff seconded the motion. The motion passed unanimously.

**Announcements:**

Mr. Cordero stated the Milford Township Zoning Hearing Board is scheduled to meet Tuesday, March 9, 2021 to hear the application of Jason and Nisha Marshall for the property located at 2629 Allentown Road, TMP# 23-005-037-003 in the RA zoning district. The Applicants seek a variance from Section 404.B.1 and 404.H.2, to construct a garage 15 feet from the front yard property line where 75 feet is permitted and to allow a height of 20 feet where 18 feet is permitted.

Mr. Courduff asked Mr. Cordero how close the proposed garage would be located to the existing sand mound. Mr. Cordero stated the sand mound appears to be located on the opposite side of the house. There were no further comments or questions regarding the application.

**Other Business:**

LifeQuest has requested the previously approved schedule of contributions to the Milford Township Volunteer Fire Company be modified to allow the funds to be distributed over the next 36-month period.

Mr. Strunk made a **MOTION** to approve the modification of the scheduled contributions from LifeQuest to the Milford Township Volunteer Fire Company. The funds are to be distributed over the next 36-months. Mr. Courduff seconded the motion. The motion passed unanimously.

Sergeant Jim Thomas of the Pennsylvania State Police provided a summary of incidents occurring in 2020. A total of 2,335 incidents occurred in Milford Township in 2020, a great deal of which were traffic stops and domestic security checks at schools, places of worship and businesses. Sgt. Thomas reported a total of 27 calls involved St. Luke's Hospital. These calls were mainly for noise complaints, mental health issues, drug possession, and 2 thefts from the parking lot. Sgt. Thomas stated St. Luke's has not occupied much of the force's time when it comes to callouts, as dispatches to the hospital have been limited. Sgt. Thomas stated he has been promoted to Lieutenant and will be transferred to a different station and will be sure to provide the contact information for his replacement. Mr. Courduff stated he is delighted with the lack of calls to the hospital and inquired how security for the hospital communicates with the State Police if there is a problem. Sgt. Thomas stated the head of security for the hospital is to reach out to 911-dispatch with incident information and PSP responds accordingly. Sgt. Thomas stated PSP has a great working relationship with the hospital. Mr. Mininger asked Sgt. Thomas if there is much coordination with Quakertown Borough Police and St. Luke's Hospital. Sgt. Thomas stated it mainly depends on the type of incident, however; Quakertown Borough Police should not be responding to calls at the hospital, unless there an unforeseen situation arises, such as an active shooter or the like. The Board of Supervisors thanked Sgt. Thomas for his years of service in Milford Township and wished him all the best in his new position.

**Subdivision/Land Development:**

**Gorski, Preliminary/Final Land Development Plan, Rosenberger Road, TMP# 23-010-023.** Mr. Michael Malloy of Obermayer Rebmann Maxwell & Hippell and Mr. John Riebow of Gorski Engineering were in attendance to present the Preliminary/Final Plan of Land Development for the proposed New Road Warehouse. Mr. Malloy stated the plan

presented to the Board of Supervisors for approval is almost identical to the previously submitted Preliminary Plan. Minor changes were made to the plan, which include a slight shift of the building to the west to accommodate the buffer area. Mr. Strunk asked Mr. Andersen if he had any comments. Mr. Andersen stated he has performed a review of the plan and has offered suggestions for the water main and comments should be addressed by the Fire Marshal. Mr. Riebow stated he is currently addressing the water main issue and has spoken with the Fire Marshal.

Mr. Riebow stated the Applicant has requested waivers from the following Subdivision and Land Development Ordinance: Section 505a- widening Rosenberger Road to 30' width; Section 516-providing curb along Rosenberger Road; Section 517a(3)-a partial waiver from the requirement to install curbing at all internal parking lots. The entrances to each private parking lot will be curbed. The waiver is requested to facilitate the stormwater management design, which anticipates uninterrupted sheet flow across the parking lot. The Applicant proposes to provide concrete wheel stops where necessary; Section 519-from providing sidewalks along Rosenberger Road and New Road where currently no sidewalks exist; Section 520- a partial waiver for the western portions of the property, from providing buffer yard plantings where planting exist; Section 520.G(a)1- a partial waiver to permit the existing gravel driveway to remain within the proposed buffer on the southern property line; Section 525-from the requirement to provide recreational land. The Applicant has offered a fee-in-lieu of recreation land. Section 520.G(c)- a partial waiver to permit a small rain garden to be located in the proposed buffer. The Applicant has offered a fee-in-lieu for off site traffic improvements;

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-09**, granting Preliminary/Final Approval of the Gorski New Road Warehouse, along with the requested waivers. The following conditions shall apply: The Plans must be revised to comply with the Andersen Engineering review letter dated February 9, 2021; The Applicant must demonstrate compliance with the conditions of the Zoning Hearing Board decision dated December 9, 2020; The Applicant must demonstrate compliance with Stormwater Management Plan review. Mr. Courduff seconded the motion. The motion passed unanimously.

#### **Conditional Use:**

**St. Luke's Hospital, Sixth Revised Master Plan- St. Luke's West Wing Expansion, 3000 St. Luke's Drive, TMP# 23-015-115-003.** Mrs. Harper opened the hearing at 7:20 p.m. Mr. Bubba stated the testimony for the Conditional Use Hearing and the Land Development proposal would be a joint testimony as the plans are intermingled. Mr. Bubba reminded the Board that St. Luke's is not a new partner. St. Luke's had worked with the Township and Engineer and was able to get the original hospital constructed quickly. Mr. Bubba stated St. Luke's is in the same position now.

Mr. Robert Martin of St. Luke's Hospital stated when the West Wing Expansion is complete Rt. 663, from the Portzer intersection to the western boundary line, would be complete to final design specifications and have financial security posted as well. Mr. Martin stated Mill Hill Road East would be constructed with the preferred left hand curve, taking motorists behind the hospital to Portzer Road, not the tee-intersection that was originally proposed. Mr. Martin asked the Board to consider the roadway being built at 30' rather than the required 36'. The previously built section of Mill Hill Road East, located on the St. Luke's site, was built at 30' as approved. Mr. Martin stated if for any reason LifeQuest fails to complete their portion of the construction of Mill Hill Road East St. Luke's would post financial security for the completion of the roadway on the LifeQuest side. Mrs. Harper stated Mill Hill Road East needs to connect. Mr. Bubba stated St. Luke's and LifeQuest understand their responsibility of constructing Mill Hill Road East and will each be responsible to construct and maintain their portion of roadway in a way that is found satisfactory to Milford Township. Mr. Bubba stated there would not be gaps in Mill Hill Road East. Mr. Martin stated the full cost of the roadway improvement has been accounted for in the budget for this project and financial security will be posted. Mr. Martin stated it is the intention of St. Luke's and LifeQuest to have Mill Hill Road East constructed prior to the opening of the hospital expansion. Mr. Marty Smith of Pany & Lentz Engineering is working on revisions to the DEP permit. Mr. Del Markward stated LifeQuest is waiting on DEP to proceed. Mr. Markward further stated that the Board Members of LifeQuest are still of the opinion that Driveway "B" be implemented. Mr. Hiser stated LifeQuest has been supportive of St. Luke's for years. Driveway "B" has been shown on the Master Plan for years. As part of the agreement by and between St. Luke's and LifeQuest, Driveway "B" was to be constructed by St. Luke's. Mr. Hiser stated Driveway "B" is needed for access to lot 7, 8, and 9. Mr. Hiser stated 3 Traffic Impact Studies were completed and PennDOT has no objections Driveway "B" being constructed. Mr. Hiser stated Driveway "B" matters to LifeQuest and the value of lots 7,8, and 9. Mr. Bubba stated St. Luke's is not attempting to avoid their obligations to build Driveway "B". Neither the township nor PennDOT has required Driveway "B". Mr. Bubba stated if there is a time Driveway "B" is required St. Luke's would build it. Mr. Bubba stated Driveway "B" has been removed from the Land Development Plan. Mrs. Harper stated Driveway "B" remains on the Sixth Revised Master Plan with a note.

Mr. Martin stated St. Luke's proposes to install a walking trail that will interconnect with the existing Blackledge Development walking trail and extend out to LifeQuest Drive along the northern side of Mill Hill Road East. St. Luke's will install fitness stations along the walking trail and dedicate a parking area for those utilizing the trail. St. Luke's is also proposing to install a garden flower and/or vegetable garden to be utilized by the community and hospital staff. Mrs. Harper asked Mr. Martin if a portion of recreation land would be set aside for the trail, exercise areas, and gardens and if the land would be dedicated to the Township. Mr. Bubba stated in his experience, most municipalities would prefer an easement.

Mr. Nate Burns of Langan Engineering presented the proposed grading plan. The plan shows a cooperative effort between St. Luke's and LifeQuest in designing the trail ways. The trail was relocated to the southern side of Mill Hill Road East to the northern side, which eliminates pedestrian crossing. The PennDOT Highway Application for the widening of Rt. 663 from St. Luke's Drive to the western boundary of lot 9A has been prepared and submitted for review. Mr. Burns stated DEP Chapter 105 allows for the widening the culvert between Portzer Road and St. Luke's Drive. The permit has not been submitted yet as PennDOT comments have not been received. The approval process can take 3-4 months. Mr. Courduff asked Mr. Burns if this was an amended LifeQuest permit. Mr. Burns stated it is not an amended permit. St. Luke's has applied for their own permit. A meeting was had with LifeQuest, St. Luke's, the Bucks County Conservation District and DEP to discuss the permit process and it was decided each owner should obtain their own permit. Mr. Courduff asked if the work at the culvert would have any impact on Township Property. Mr. Burns stated the work should be within the right-of-way, however; a temporary construction easement may be needed. Mrs. Vigilante stated the widening requirements for Rt. 663 all fits within the existing right-of-way. Mrs. Vigilante discussed the proposed signalization. As part of the original approval for the hospital, St. Luke's constructed a signal at their private driveway, St. Luke's Drive. The signals were interconnected, Portzer and Rt. 663, St. Luke's Drive and Rt. 663, and Commerce Drive/LifeQuest Drive and Rt. 663. The primary coordination was done via fiber optic cables between Portzer Road and St. Luke's Drive and spread spectrum radio inter-connection between St. Luke's Drive and Commerce/LifeQuest Drive. There was a cable drop with connection to PennDOT traffic management center located at the intersection of Rt. 663 and Portzer Road. The traffic signal controllers and cabinets have been designed to accommodate future addition of traffic adaptive capabilities when the time comes. As part of current application the only necessary improvements to the signals is signal timing modifications at the St. Luke's/Rt. 663 intersection. Mr. Courduff asked if the adaptive signalization would have the capability to extend to Spinnerstown Road. Mrs. Vigilante stated if the cabinets were upgraded it could extend to Spinnerstown Road. She does not believe fiber extends to the west at this time. Mr. Courduff questioned the usage of radio signals along with fiber optic. Mrs. Vigilante stated essentially that is how the current system is set up. LifeQuest Drive to St. Luke's Drive is operating under radio interconnect and St. Luke's to the east is operating with fiber connect. Mrs. Vigilante stated the coordination done to date has helped with traffic along the stretch that has been upgraded. Mr. Courduff stated St. Luke's did a great job at the Portzer/Rt. 633 intersection. Mr. Vey asked Mrs. Vigilante if what exists is time of day phasing operation. Mr. Vey stated it is not traffic adaptive right now. Mrs. Vigilante stated that is correct, it is not traffic adaptive right now but is set up to handle once complete. Mr. Vey stated the original Conditional Use and Land Development approvals had conditions attached to the approval, which included design and installation of traffic adaptive signals at Commerce, St. Luke's and Portzer with a master control capable of extension from Spinnerstown Road to Rt. 309. Mr. Vey asked if the traffic adaptive would be installed at this phase? Mrs. Vigilante stated it was a condition to provide the capabilities of traffic adaptive which was done. Mr. Vey stated the approval states design and install. Mrs. Vigilante stated the cabinets and controllers have been designed to accommodate the addition of adaptive signalization. Mr. Vey asked if the traffic adaptive signal has been designed and installed to control Commerce, St. Luke's and Portzer. Mrs. Vigilante stated in discussing with the Township and PennDOT what has been installed is what had been agreed upon due to the 309 connection not being made as of yet. Mr. Vey stated it is the intent to have traffic adaptive signal controls to make Commerce St. Luke's and Portzer function together as a traffic adaptive control. Mrs. Vigilante stated PennDOT would need to be a part of the conversation. Mr. Bubba stated St. Luke's would take the initiative to discuss further with PennDOT.

Mr. Andersen stated he has questions regarding the NPDES permit boundary line. Building to the boundary line as proposed does not ensure the space in the middle gets built. He stressed the importance of utilizing one contractor to build both side of roadway. He further stated an agreement between St. Luke's and LifeQuest should be executed so the entire roadway gets permitted and built. The agreement should include right-of-way and cost sharing. Mr. Burns stated he believes an agreement is in place. The NPDES permit boundary for St. Luke's is the property line and the NPDES permit boundary line for LifeQuest is the LifeQuest property line. The property lines can be crossed with construction while the boundary lines are used for permitting purposes. Mr. Andersen asked Mr. Bubba for clarification, was it stated that if there was any delay with LifeQuest building their portion of the stream crossing that St. Luke's would build the entire crossing.

Mr. Bubba stated St. Luke's would not build Mill Hill Road East on any property not belonging to St. Luke's due to liability issues. Mr. Andersen stated a common contractor should be used to build the entire road crossing. There is physically no way to build separately. Mr. Burns stated they have agreed that the LifeQuest contractor would do the construction to a mutually agreed upon point on St. Luke's property then switch over. St. Luke's will post credit for the area that will be constructed by the LifeQuest contractor.

Mr. Burns stated most of the open items found on the Andersen Engineering review letter are engineering issues and will be addressed. Mr. Burns stated the Bucks County Planning Commission review letter has been received. The review letter recommends a bicycle lane be incorporated along Rt. 663. Mr. Burns stated this comment had been addressed with the Board in the past and it was agreed upon that it was not a good idea. Mr. Burns stated with the dedication of Mill Hill Road East it was discovered that two additional waivers would be requested. A revised waiver request letter was sent to all parties just prior to this meeting. Two additional waivers have been requested at this time, parking areas to be set back 15' from a roadway and 25' from a property line as well as a waiver from requirement to allow sidewalks on either way of a public roadway.

Mrs. Harper asked if there was any public comment. With none being received Mrs. Harper asked the Board of Supervisors if they had any further question, no questions were asked at this time.

Mr. Bubba stated St. Luke's is seeking Conditional Use approval along with Preliminary/Final Land Development approval. Mrs. Harper stated the board has 45-days to make a decision and that the Land Development cannot be approved until a decision is made on the Conditional Use approval. The Land Development plan is required to be approved or rejected by the end of March. Mr. Strunk stated he wishes for more time to digest the information that was received and discussed. After a brief discussion a decision was made that the Board of Supervisors would review a draft decision and offer a vote and decision at the Board of Supervisors meeting to be held on Tuesday, March 16, 2021. Mrs. Harper stated the Land Development plan would be reviewed and a vote and decision would be made at this meeting as well; therefore a time extension request would not be required.

#### **Subdivision/Land Development:**

**St. Luke's Hospital, West Wing Expansion, Preliminary Plan of Land Development**, 3000 St. Luke's Drive, TMP# 23-015-115-003. Mr. Strunk asked if there were any comments regarding the Land Development proposal. Mr. Andersen stated the revisions made to the Sixth Revised Master Plan have resolved a lot of outstanding issues. The only issue Mr. Andersen would like to address is the width of Mill Hill Road East. Mr. Andersen stated 300 parking spaces are proposed behind the hospital, between the road and the hospital, and parking along the road will not be likely. Mr. Andersen suggests the road be decreased to 30' in width on the St. Luke's property and remain 36' in width on LifeQuest's property where buildings are proposed and parking along the roadway will be more likely. Mr. Strunk stated he agrees. Mr. Courduff asked if issues regarding the impervious surface still remain. Mr. Andersen stated issues still remain. A plan review was completed showing 40% of the St. Luke's site being impervious where the Master Plan shows 49% impervious surface coverage. Mr. Courduff asked if the overall site is compliant to which Mr. Andersen stated it is. Mr. Strunk stated the Bucks County Planning Commission has suggested street trees be planted along Rt. 663. Mr. Strunk stated truthfully it does look nice however; he feels the requirement for street trees should be waived. Mr. Courduff stated he would like to see a few street trees installed along Mill Hill Road East. Mr. Burns stated this was discussed during the original Land Development approval and trees will be planted when the reserved parking, between the basin and the existing parking lot is built. Trees cannot be put much closer to Rt. 663 without being placed on the berm of the basin, which the Conservation District and DEP will not approve. The trees cannot be placed in front of this area without being placed within the PennDOT right-of-way. Mrs. Harper recommended taking the street trees and planting elsewhere on the property. Mr. Burns stated that is what was done for the first phase. Mrs. Harper stated a waiver request should be submitted from the requirement of installing street trees. Mr. Courduff asked Mr. Andersen if he was okay with the rest of the waiver requests, which Mr. Andersen stated he was. There was no further discussion at this time.

#### **Correspondence:**

Mr. Mininger presented the Bucks County Airport Authority Meeting Minutes of January 13, 2021. Mr. Mininger stated snow removal at all of the airports has been a challenge. A pre-bid meeting was held for the tree obstruction for the west of end of Quakertown. Mr. Vey stated discussions have occurred regarding the acquisition of the Bernabei property. Mr. Vey stated funds are available in the Open Space Acquisition account. Mr. Strunk asked if the current tenants would remain or if there is something else in mind. Mr. Vey stated the tenants should remain and if the opportunity arises in the future the house could possibly be used as an Airbnb. Mr. Strunk asked what the purchase price of the property was. Mr. Vey stated a purchase price has not been discussed at this time. Mr. Courduff stated he would like to proceed with the

acquisition as this ties in with the back end of the park, the eight acres on Mill Road and helps with the protection of the Unami Creek. Mr. Mininger has abstained from voting due to a conflict of interest.

Mr. Courduff made a **MOTION** to authorize Mr. Vey to proceed with the acquisition of the property located at 2255 Milford Square Pike. Mr. Strunk seconded the motion. Mr. Mininger abstained.

Mr. Vey reported the Minutes from the January 12, 2021 Milford Township Water Authority meeting are available for review. Mr. Courduff asked for Mr. Andersen's comments regarding the water main and stormwater pipe at the Portzer Road roundabout. Mr. Andersen stated PennDOT was involved with the original design of the roundabout. Plans have been revised several times. Ultimately, a storm inlet was moved approximately 4 feet alleviating any potential conflicts with the existing water main.

Mr. Vey reported the Minutes from the January 18, 2021 Milford Trumbauersville Area Sewer Authority meeting are available for review. Mr. Vey stated St. Luke's had submitted an application for sewer capacity, which was approved. Pennoni has submitted a plan to install a 6" sewer line to the Barrel Run Interceptor to relieve the choke point. The plan is currently under review. It was stated that residential sump pumps discharging into the sanitary sewer has been discovered. Mr. Vey stated the townships Elicit Discharge and Detection Ordinance might be helpful in aiding MTASA. If needed, notices of violations could be issued to those who are discharging into the sanitary sewer.

Mr. Vey reported the Bucks County Emergency Health Services annual report is available for review.

Mr. Vey stated Plumstead Township has requested Fire Police Assistance for traffic control duties at the Blaze of Glory 5K run being held on March 27, 2021 between the hours of 8:30 a.m. and 11 a.m.

Mr. Courduff made a **MOTION** to approve the Plumstead Township request for Fire Police assistance for the Blaze of Glory 5K run being held on March 27, 2021. Mr. Mininger seconded the motion. The motion passed unanimously.

The Trumbauersville Fire Company has provided a 2021 Fire Company Officer List, Profit and Loss statement, and Financial Statement, all of which are available for review. Mr. Mininger stated the Annual Report was very impressive. Mr. Courduff agreed.

### **Reports:**

**Code Enforcement:** Mr. Cordero presented the Code Enforcement Report for February 2021. A total of 13 permits were issued in February: 9 residential renovation permits, 3 residential accessory permits, and 1 home occupation permit. A total of 2 Use & Occupancy permits were issued, 1 Zoning Hearing Board, and 12 fire inspections were performed.

**Public Works Department Reports:** Mr. Winkler reported it was a very busy month for the Road Department. The crew was out 11 times to salt and 6 times to plow. The crew went into the Habitat Development with a loader and backhoe to remove snow to make room for the next storm. Two of the 6-wheeler trucks have broken down and have been sent out to get repaired. In the meantime the tailgate spreader was put on the Mack tri-axle. Mr. Strunk asked Mr. Winkler what happened to the trucks. Mr. Winkler stated a small piece of pipe is leaking on one of the trucks and the other truck, the 2004 Sterling is showing no code. The truck has been taken to Bergy's to be looked at. Mr. Winkler stated they are getting by with the vehicles they have. Mr. Courduff asked Mr. Winkler if Morton is on Costar. Mr. Winkler stated they are. Mr. Winkler stated there is currently 3,000 tons of salt on hand.

**Park Board Report:** Mr. Vey presented the Park Board meeting minutes from the meeting of February 10, 2021. The splash pad was discussed at this meeting. Mr. Vey stated it should be decided if we are to move forward. There have been two years where the Township has submitted a DCNR grant application only to be turned down. If we hold off Mr. Vey stated he wouldn't be surprised due to the state of the States finances that we would be turned down again. Discussions have been had with Alan Clemmons and Bob Irick regarding the parking at Molasses Creek Park. Mr. Strunk inquired as to the funds needed for the splash pad. Mr. Winkler stated \$125,000. Mr. Winkler stated the parking could be installed this fall and the splash pad installed next year. Mr. Strunk stated he would like to move forward with the parking installation this year and splash pad next year. All agreed.

The Park Board had a discussion regarding pickle ball. The Park Board would like to do a test court via painting a court and installing nets at the Unami Creek Park. If it is successful a court will then possibly be installed. Mr. Strunk stated pickle ball is quite popular and thinks it will be successful.

Mr. Winkler stated the new pavilion would be installed south of the existing bathroom in the corner where the path goes around the pine trees. Mr. Vey stated there would be visibility on the pavilion and cameras will be installed as well. Mr. Kletzing stated once the weather turns the cameras can be installed. The old pavilion will be removed once the new is installed.



A disc golf clean up is proposed as well as a butterfly garden. A discussion was had regarding trails. Mr. Vey stated he had a good discussion with Mr. Irick regarding the location and screening of trails.

Mr. Vey stated a request has been received for the use of the field at Molasses Creek Park for a football summer camp run by Marquise Stokes of MSC Sports GT. The camp will run from Monday, July 19<sup>th</sup> thru Thursday, July 22<sup>nd</sup> from 8:30 a.m. to 4:00 p.m. If approved by the Board a certificate of insurance should be provided naming the township as additionally insured.

Mr. Strunk made a **MOTION** to approve the request made by Marquise Stokes of MSC Sports GT for the use of the field at Molasses Creek for a football camp on Monday, July 19, 2021 running through Thursday, July 22, 2021 with the condition Milford Township is named as additionally insured. Mr. Mininger seconded the motion.

**Milford Fire Company Report:** Mr. Sink of the Milford Fire Company reported a joint drill with Trumbauersville Fire Company was performed last month. The Fire Company took a tour of Vacu Braze Inc., located on Kumry Road. Training of auto extrication is scheduled with mutual aid companies at Pennsburg. A live fire training class with new members, who are enrolled in Fire One Class, was held in February. Chief Butler met with Richland Township Fire Rescue's Chief last month regarding dual response. There are a few issues that remain with the Bucks County CAD system. Changes can't be made at this point. Dual response is still active with Trumbauersville. Two new members joined last month. A member from another fire company, and a new member altogether. The 3000 AM Drive call was a propane heater that caught fire. The fire was contained quickly and the air was monitored for any leaks. The area was secured and the Hazmat team was called in to investigate. Mr. Mininger asked how the Board Members feel about holding the carnival this year. Mr. Courduff asked Mr. Sink what the outdoor restrictions are currently. Mr. Sink stated the outdoor restrictions include 20% capacity or a maximum of 2,000 people. The problem with outdoor regulations is that it is difficult to regulate. Mr. Courduff stated he believes the same issue would arise with AG Daze, which is scheduled to take place in September. It was recommended the situation be monitored closely. Mr. Courduff stated the number of positive Covid cases are decreasing. Mr. Sink stated a decision must be made within the next month to lock in agreements. Mr. Mininger asked if the sentiment was to leave the decision up to the fire company. Mr. Strunk stated yes and Mr. Courduff stated he would like to discuss at the next meeting. Mr. Courduff stated further discussion would be had at the next Board of Supervisors meeting.

Mr. Vey stated the Trumbauersville Fire Company report for January 2021 is available for review.

**Manager Reports:** Mr. Vey reported that the township has been approved to participate in the Costars Statewide Road Salt Contract for the 2021-2022 Season.

Mr. Cordero reports the Parking Ordinance has been revised going from an Abandoned Vehicle Ordinance to an Illegally Parked Vehicle Ordinance. The township can enact such an ordinance giving Code Enforcement the authority to ticket and/or tow illegally parked vehicles. Mr. Courduff asked what the amount of the fine would be. Mr. Cordero stated the fine is listed as up to \$1,000. Mr. Cordero stated we now have the ability run license plates to determine ownership of a vehicle. Mr. Cordero stated he and Mrs. Ambron have received certification through the State Police to do such. Mr. Cordero stated he has spoken to two tow companies and Bucks County Auto is on board. Mrs. Harper asked if the Ordinance should be advertised at this time. Mr. Vey stated it has been discussed and it is ready for formal action. Mrs. Ambron will determine the advertising requirements.

**Public Comments:**

Mrs. Ambron stated public comment was not received.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the March 2, 2021 regular meeting of the Milford Township Board of Supervisors at 9:58 p.m. Mr. Strunk announced the Board will meet in executive session to discuss personnel issues.

## **Milford Township Board of Supervisors' Meeting Minutes of March 16, 2021**

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**Call to Order:** Chairman Charles Strunk called the meeting to order at 7:01 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager

**Conditional Use:**

**St. Luke's Hospital, Sixth Revised Master Plan- St. Luke's West Wing Expansion, 3000 St. Luke's Drive, TMP# 23-015-115-003.** Mrs. Harper opened the hearing at 7:02 p.m. Mr. Bubba stated the plans have been revised to accommodate the "Y" alignment of Mill Hill Road East as requested by the Board. The pedestrian trail has been relocated to the north side of Mill Hill Road East. The impervious surface calculations have been revised and are now concurrent with the Land Development Plan. The proposed community garden has been added to the plan and Driveway "B" has been removed from the Land Development Plan. Mrs. Harper stated a note on the Fifth Revised Master Plan has been continued onto the Sixth Revised Master Plan stating Driveway "B" is not approved at this time and will be reviewed with future accompanying Land Development plans for lots 7, 8, or 9. A written agreement will be executed to affirm. Mr. Bubba stated St. Luke's obligation is to post security and build Mill Hill Road East to the end of the property line regardless of where the stream crossing. St. Luke's will cover 50% even if the stream crossing is located on LifeQuest property. Mrs. Harper asked who will be covering the other 50%. Mr. Bubba stated LifeQuest would be responsible. The plans have been revised to show Mill Hill Road East as a continuous road. Mr. Bubba stated all open items have been addressed at this point. Mr. Bubba asked the Board if there were any questions at this time. Mr. Courduff asked how a tri-party agreement between LifeQuest, St. Luke's, and Alpas would come together. Mr. Bubba stated at the previous hearing it was stated LifeQuest is responsible to build to the boundary line. An agreement has been presented to LifeQuest which makes the construction of Mill Hill Road East as a continuous road clear. Mr. Martin stated St. Luke's would coordinate and ensured the construction of the road would not end and or begin in the middle of the stream and that one contractor would build the entire stream crossing.

Mr. Courduff asked Mr. Bubba in regard to traffic, if the West Wing Expansion would have an impact with traffic on Rt. 663. Mr. Courduff stated in reading through the traffic study the level of service drops from a level "B" to a level "D". Mr. Courduff stated if you drop in level of service how can it be stated that there will be no impact? Mrs. Vigilante asked Mr. Courduff if he was referring to St. Luke's Drive. Mr. Courduff stated he was referring to the Porter and Rt. 663 intersection. Mrs. Vigilante stated Portzer Road and Rt. 663 intersection is an existing level "D". Mrs. Harper stated the township has requested traffic adaptive be installed, and if Supervisors make this a condition of approval would St. Luke's agree. Mrs. Vigilant stated if PennDOT is supportive she believes St. Luke's would agree. Mr. Vey stated the previous approval reference Portzer, St. Luke's, and Commerce/LifeQuest Drive. The approval never extended to Rt. 309. Mrs. Harper asked if St. Luke's is in agreement to install traffic adaptive at Portzer, St. Luke's, and Commerce. Mr. Martin stated St. Luke's is in agreement and will accept the condition. Mr. Strunk said it should be stated in the condition, if necessary, that St. Luke's is to install fiber optic as well. If lot 9 is not developed in an allotted time it shall be the responsibility of St. Luke's to install fiber optic. Mr. Vey stated the installation of traffic improvements at Commerce Drive can be phased as part of the approval.

Mr. Courduff inquired if the issue with the location of the water main has been addressed. Mr. Burns stated the waterline has been addressed on the Utility Plan. Confusion arose with the demolition of the existing waterline and the location has been revised as well as note added to the plan.

Mrs. Harper asked for comments from the public at this time. Michael Papp of Blackledge Drive stated there has been an increase in traffic from St. Luke's Drive to Portzer Road. Mr. Papp asked how the speed would be controlled along with the traffic. Mrs. Harper stated a discussion has been had regarding dedication of Mill Hill Road East to the township and the speed limit would be posted and enforced accordingly. Thomas and Jessica Garlick of Blackledge Drive stated they had not received plans for the modification of the hospital as they had at the time of the initial proposal of the hospital and asked why they were never notified of the intent to construct the expansion. Mrs. Harper stated since the proposal is in conformance with the zoning regulations in the Arterial Mixed Use, notification is not required per the Municipal Planning Code. Dennis Pfliger of St. Luke's Hospital stated he had met with members of the community within the last month or so to discuss the proposal and address any concerns. Mr. Boell stated the meeting occurred prior to the

submission of the proposal. Mrs. Garlick stated she has concerns regarding vehicles speeding as well as the increase of northbound traffic on Portzer Road. Mrs. Garlick further stated there currently are no posted speed limit signs on the existing Mill Hill Road East. Mr. Garlick asked if any traffic calming measures would be utilized. Mr. Courduff stated the roadway would be reduced from 36' on the LifeQuest portion of Mill Hill Road East to 30' on St. Luke's portion. Mrs. Garlick inquired as to the elevation of the road in relation to the berm. Mr. Burns stated the grading, east to west, as you move from Portzer Road the roadway rises in relation to the berm then drops down. The roadway is 5' below elevation from the top of the berm. Mrs. Garlick asked if there is a proposal for the installation of any noise cancelling measures. Mr. Burns stated additional landscaping will be added to the existing berm. Mrs. Garlick stated there is an issue with flooding at the intersection and feels that problem should be dealt with prior to adding more impervious surface. Mrs. Garlick stated there flooding issues on the site. Mr. Burns stated the stormwater management controls were installed and the site drains from north to south thus pulling water away from her property. A new swale was cut in to further facilitate drainage and there should be no impact to the Garlick property. Mr. Burns further stated there will be no change in stormwater on the property and the culverts will be repaired and or cleaned out, whichever is needed, to bring up to standards where flooding is occurring on the eastern side of Portzer Road and Rt. 663 at the northeast corner. Mrs. Garlick asked how far Mill Hill Road East will be located from the berm. Mr. Burns stated there is a 50' right-of-way on Mill Hill Road East. The berm is located outside of the right-of-way and the closest point of the road is 10-15' from the edge of the berm. There were no further questions at this time.

Mr. Strunk made a **MOTION** to approve the Conditional Use Application/Decision, with additional language regarding fiber optic cable, of St. Luke's Upper Bucks for the property located at 3000 St. Luke's Drive, TMP# 23-15-115-003 for an Expansion of St. Luke's Hospital and approval of the Sixth Master Plan for Milford Village Center. Mr. Courduff seconded the motion. The motion passed unanimously.

#### **Subdivision/Land Development:**

**St. Luke's Hospital, West Wing Expansion, Preliminary Plan of Land Development**, 3000 St. Luke's Drive, TMP# 23-015-115-003. Mr. Bubba stated all open items have been address during the Conditional Use review. Mr. Bubba stated the review letter is a very clean review letter and St. Luke's has no further information to present. Mr. Courduff asked Mr. Bubba who would hold ownership of the stormwater management facilities on and along Rt. 663 as it has been stated that Milford Township shall own and maintain these facilities. Mr. Courduff stated he has spoken to the Director of Public Works and neither ownership or maintenance of these facilities is desired, which include a 72" pipe beneath Rt. 663. It was stated that once storm pipes are placed on each end of the existing 72" pipe the township would be responsible for maintenance. Mrs. Vigilante stated the drainage pipe is located within the state right-of-way, and the culvert and cross-pipe normally fall on the township to maintain, not to say an agreement couldn't be made with the owners of the property. Mrs. Vigilante stated a Highway Occupancy Permit names the township as the permittee and St. Luke's is to submit for review and approval. Mr. Bubba stated St. Luke's would inquire on the matter further with PennDOT and will work with the township for an acceptable outcome. Mr. Strunk stated he would like reinsurance that the township would not be responsible for maintenance of the storm pipes. Mr. Martin stated the matter will be resolved to the satisfaction of the township.

A brief discussion was had regarding the proposed, existing, and reserved parking. Mr. Andersen stated once constructed there will be more than enough parking on site and in reserve. Mr. Andersen stated in regard to the ownership of open space, there are several pockets of open space which currently exist, and he recommends ownership to remain with St. Luke's with an approved conservation easement. Mr. Courduff asked Mr. Martin if financial security was to include Mill Hill Road East along with 50% of the stream crossing to Portzer Road. Mr. Martin replied yes, the financial security would include Mill Hill Road East along with 50% of the stream crossing. Mr. Courduff asked Mr. Vey along with Mrs. Harper if everyone is in agreement with the traffic adaptive. Mrs. Harper stated yes, traffic adaptive is required at Portzer Road to St. Luke's Drive and St. Luke's Drive to Commerce Drive at a minimum, along with consideration of fiber optic at a later date with the obligation to install. Mr. Courduff asked if a design has been created for the transition of Mill Hill Road East going from 36' to 30'. Mr. Burns stated he is working with Mr. Smith of Pany & Lentz and the road will taper near Delores Drive to the boundary of St. Luke's, which is approximately 100' of roadway. There were no further questions at this time.

Mr. Miner made a **MOTION** to approve Resolution No. 2021-10, Preliminary/Final Plan Approval, along with the requested waivers, for the St. Luke's West Wing Addition for the property located at 3000 St. Luke's Drive, TMP# 23-015-115-003. The following conditions shall apply: The plans must be revised to be consistent with the Sixth

Revised Master Plan; The plan must be revised to delineate 59,000 square feet of land usable for recreation and if requested offered to the Board of Supervisors a recorded conservation easement; The plans must be revised to comply with the Andersen Engineering review letters dated January 12, 2021, February 19, 2021, February 22, 2021 and February 25, 2021; Driveway "B" is to be removed from the plan; The plans must be revised to show Mill Hill Road East as a continuous roadway from LifeQuest Drive to Portzer Road at a width of no less than 30' with a 50 right-of-way and without a "T" intersection and a trail installed on the north side of the roadway with connections to the adjoining Blackledge Development; Financial Security shall be posted for any and all public improvements; Final Plan must be revised to be consistent with the Conditional Use approval along with necessary easements, notes, restrictions and references; all outside agency approvals must be obtained. The approval shall be amended to include St. Luke's maintenance of the stormwater facilities located along Rt. 663 as well as the installation of fiber optic along Rt. 663. Mr. Strunk seconded the motion and the motion passed unanimously.

Mr. Martin thanked the Board of Supervisors. Mr. Martin stated St. Luke's would like to make a donation to the Milford Township Fire Company as the hospital realizes the need for such volunteers and how important they are. Mr. Martin announced St. Luke's has decided to donate \$120,000 to the fire company for the upgrading of the radio system.

**Other Business:**

Milford Township Volunteer Fire Company Annual Carnival. Chief Butler stated the 2021 MTVFC Carnival would most likely be canceled. With the requirements in place for food handling and the limited number of people permitted holding the carnival would not be cost effective. Mr. Butler stated he would inform the township in the upcoming week on the status of the carnival.

**Public Comments:**

Mrs. Ambron stated public comment was not received.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the March 16, 2021 regular meeting of the Milford Township Board of Supervisors at 8:30 p.m. Mr. Strunk announced the Board will meet in executive session to discuss personnel issues.

## Milford Township Board of Supervisors' Meeting Minutes of April 6, 2021

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**Call to Order:** Mr. Strunk called to meeting to order at 7:00 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager

**Approval of Minutes:** Mr. Courduff made a **MOTION** to approve the March 2, 2021 and March 16, 2021 meeting minutes as presented. Mr. Strunk seconded the motion and the motion passed unanimously.

**Financial Reports:** Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasure's Report of February 2021. Mr. Courduff seconded the motion. The motion passed unanimously.

Mrs. Ambron reported the Township has received Municipal Liquid Fuels funds in the amount of \$403,771.85 as well as \$10,960.00 in Turnback funds.

**Announcements:** Mr. Cordero reported the Zoning Hearing Board would meet on Tuesday, April 13, 2021 to hear the application of Nicolas Bailey Pizzo for the property located at 1495 Allentown Road, TMP No. 23-021-072. Mr. Pizzo seeks a variance from Section 803, to construct a single family dwelling on a lot less than 100 foot in width and allow a maximum impervious surface of 18.92% where 15% is permitted along with a 15-foot side yard set back. Mr. Cordero stated a driveway and small garage currently exist on the lot. Mrs. Harper stated the use of the property is conforming while the lot is nonconforming as it does not meet the regulations set forth in the zoning ordinance. Mrs. Harper further stated the lot could have conceivably been created prior to the creation of zoning. Mr. Strunk asked Mr. Cordero to determine if the property was ever held in the same ownership. It was decided to forego Mrs. Harper attending the Zoning Hearing Board meeting on behalf of the township.

**Other Business:** Mr. Strunk announced the appointment of Malcom Vingar to the Milford Township Planning Commission. Mr. Courduff stated Mr. Vingar was a great interview and will be a great addition to the Planning Commission.

Mr. Courduff made a **MOTION** to appoint Mr. Malcolm Vingar to the Milford Township Planning Commission. Mr. Strunk seconded the motion. The motion passed unanimously.

**Subdivision/Land Development:** Quaker Pointe Hotel, Land Development Plan, 1915 John Fries Highway, TMP# 23-010-021-001- **Tabled**

### **Correspondence:**

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported the Bucks County Airport Authority tree clearing and re-planting project is scheduled to begin in the next two weeks. Mr. Vey stated Mr. Winkler would be visiting two adjoining property owner who are not pleased with the amount of trees being removed. Mr. Winkler will present to the residents a plan showing what trees are being removed and what is being replanted.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey presented the minutes of the February 9, 2021 Milford Township Water Authority meeting where Mr. Koenig reported the pipe in the Portzer Road roundabout had to be lowered. Since the February 9, 2021 meeting the issue has been addressed. Mr. Andersen stated he is hopeful for construction to begin in 2022.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey presented the minutes of the February 15, 2021 Milford Trumbauersville Area Sewer Authority where Mr. Koenig reported the Sewer Authority started to flush the lines on the Barrel Run Interceptor and completed 3,425 feet of 8' sewer main. It was stated that once the line is clear a 6" line would be installed. Mr. Strunk inquired as to the request for an ordinance regarding residential discharge into the sanitary sewer. Mr. Vey stated the ordinance enacted by Milford Township years ago is geared to stormwater management

practices. Mr. Cordero stated the Sewer Authority's solicitor is preparing an ordinance to be reviewed by Milford Township.

**Sign Request at Hillcrest Hunt Development.** Sam Nimeh of Fox Lair Drive has requested a "Slow Down" or "Children at Play" sign be installed at both entrances of the Hill Crest Hunt Development, one at Freier Road and one at Hunters Horn Lane. Mr. Nimeh stated there has been an increase in the number of children who reside in the neighborhood. Mr. Nimeh further states the development is commonly used as a cut through and there has been a large increase in the number of vehicles utilizing the cut through. Mr. Nimeh stated with the weather turning the concern would continue to grow.

Mr. Vey stated past practice has been the requestor has covered the expense of any approved sign. The cost per sign is \$125.00.

### **Reports:**

**Code Enforcement:** Mr. Cordero presented the Code Enforcement Report for March 2021. A total of 20 permits were issued in March: 11 residential renovation permits, 6 residential accessory permits, 1 residential addition, and 1 commercial permit. A total of 15 Use & Occupancy permits were issued, 1 Zoning Hearing Board meeting, and 10 fire inspections were performed.

**Public Works Departmental Reports:** Mr. Winkler presented the Public Works Report for March 2021. Mr. Winkler stated the Public Works Department began the month working with Dave's Services removing large dead ash trees in the right of way. Ditches were cleaned on Brick Tavern Road and all snowplow stakes were picked up throughout the township. The salt spreaders were removed, cleaned, and put back in storage. The crew went around to the playground equipment and spread new certified playground mulch. Potholes throughout the township have been patched.

Mr. Winkler presented the results of the 2021 Road Bids. Mr. Winkler stated a total of 6 Bids were advertised, 2 of which were bid renewals. Bid Package 1- Approximately 11,793 Ultra Thin Bonded Wearing Course; Approximately 15,000 lbs ASTM D 6690 Type II Rubberized Crack Seal; and approximately 400 gallons Right Point-Pave Patch (or Penn Dot equivalent). This is contract renewal 2 of 3. Asphalt Maintenance Solutions currently holds the contract. Bid 2- Approximately 23,533 SY Type II Slurry Seal which is Asphalt Maintenance Solutions contract renewal 2 of 3.

One bid proposal was received for Bid Package 2- Equipment Rental, Truck Mounted Road Sealer with operator or equivalent; Oil & Chip equipment with operator, approximately 20 hours. The bid was received by Asphalt Maintenance Solutions with a total bid amount of \$46,890.00.

One bid proposal was received from Highway Materials, Inc. for Bid 1A and 1B- Approximate quantities of road material aggregates - 2,000 tons #4, 1,000 tons #2A, 1,000 tons #2B, 200 tons R-4, 300 tons R-5, 800 tons 1-B washed, 800 tons 1-B. The total bid amount was \$60,350.00 excluding delivery and \$79,775.00 including delivery. Bid 1B consists of approximate quantities of Warm Mix Asphalt (PG64-22WM4) – 800 tons 25mm 0 < .3, 300 tons 19mm 0 < .3, 1,200 tons 9.5mm 0 < .3. ALL WARM MIX MUST BE VIRGIN MIX POSITIVLY NO RAP. A total bid amount of \$111,895.00 excluding delivery and \$123,970.00 including delivery was received.

One bid proposal was received from Sacks & Sons for Bid 3- Rental of Paving Equipment and laborer(s)-approx. 40 hours with a total bid amount of \$59,300.00.

Mr. Courduff asked if the warm mix meets PADOT requirements. Mr. Winkler stated it does. Mr. Winkler reported Canary Road, which was paved in 2016, is starting to come apart. When bid the bid always states virgin mix required and he thinks RAP is being placed in the mix. The same mix was used on Portzer Road, Mill Road and Canary Road. Mr. Winkler stated he feels there is a big problem with the mix being used on shaded roads such as Canary Road. Mr. Winkler would like to take a core sample of the road to send out to be tested. Mr. Courduff asked Mr. Andersen if he has any comments regarding the mix being used on the roadways. Mr. Andersen stated he is in agreement with the Public Works Director. There are so many recycled products in the yard and companies are trying to get rid of these products. Mr. Courduff stated this is very concerning as the township had to go from Hot Mix to Warm Mix which may have recycled products added. The township pays big dollar amounts and the materials are not lasting as long as they should be. Mr. Winkler stated he would like to have the road material tested to see what was put down and to see how much rap was put on the roadway, Canary Road in particular. Mr. Mininger asked if a sample taken from today would show what was put down 5 years ago? Mr. Winkler stated it would, as it would be a core sample. Mr. Strunk and Mr. Courduff were both in agreement that a sample of the roadway be taken and sent off for testing. Mr. Courduff recommended the samples be sent to two labs for testing.

Mr. Courduff asked what should be done with the bids before them tonight. Mr. Winkler recommended the bids be awarded and the testing of Canary Road be performed.

Mr. Courduff made a **MOTION** to approve the bids as presented. Bid Package 2-Equipment Rental, Road Sealer and Oil & Chip is awarded to Asphalt Maintenance Solutions with a bid amount of \$46,890.00. Bid 1A-Road Material Aggregates is awarded to Highway Materials Inc. with a bid amount of \$60,350.00 along with Bid 1B-Warm Mix Asphalt with a bid amount of \$111,895.00. Bid 3-Paving Equipment Rental with Operator is awarded to Sacks & Sons with a bid amount of \$59,300.00. Mr. Strunk seconded the motion. The motion passed unanimously.

**Milford Township Volunteer Fire Company Report:** Chief Butler reported a total of 18 incidents in March 2021. Chief Butler reported Milford Fire Company continues to meet with Trumbauersville Fire Company on a regular basis. Milford Fire Company and Richland Township Fire Company will enter into agreement for dual dispatch during the day, which is scheduled to start in August with the county. The Fire Company met with Bucks County dispatch to discuss the upcoming switch over. The county ran the new CAD system and went over the new features. Since using a laptop will give the Fire Company more options/information the Fire Company will be looking to put laptops into the Chief's vehicles and the main apparatus.

**Trumbauersville Fire Company Report:** Alex Erney from Trumbauersville Fire Company presented the February report. Trumbauersville Fire Company responded to a total of 17 incidents. The sale of Easter flowers was very successful and sold out in 2 and half days when it would normally be 4 days of sales. Mr. Erney reported hoagie sales continue as normal along with monthly training.

**Managers Report:** Mr. Vey stated the submission for the Splash Pad Grant Application is April 14, 2021. The application has been revised to include professional plans and specifications.

Mr. Strunk made a **MOITON** to approve **Resolution No. 2021-11** granting authorization to Mrs. Devan Ambron to submit an application to the Department of Conservation and Natural Resources on behalf of Milford Township for the proposed Molasses Creek Park Splash Pad. Mr. Courduff seconded the motion. The motion passed unanimously.

A review of the final copy of the proposed Parking Ordinance was discussed. Mr. Cordero stated the ordinance has been revised to include Mill Hill Road East. There were minor changes to include road names and not road widths. No parking signs will need to be installed at the subject roads. Mr. Strunk asked Mr. Cordero if parking 3' from the fire hydrant was acceptable. Mr. Cordero stated the regulation is in accordance with the Fire Code. Mr. Vey stated the ordinance will be advertised as required and presented at the May 4, 2021 meeting for adoption. There was no further discussion

Mr. Vey stated the St. Luke's West Wing Sewage Facilities Planning Module is ready for execution and submission.

Mr. Strunk made a **MOTION** to approve execution and submission of the St. Luke's West Wing Sewage Facilities Planning Module. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Vey stated there are minor changes to be made to the Doerr Road Vacation Agreement which includes a lump sum figure to be added to page 5, section 13. Exhibit C shows access to the creek at the end of the cul-de-sac. Missing from the plan is grading lines to the creek. Mr. Vey asked Mr. Andersen to look into a revision of the plan to show grading. Mrs. Harper stated she would investigate ordinance requirements. Mr. Courduff asked Mr. Andersen for assurance that the fishing rod & gun club would have access to their road. Mr. Andersen stated he will review the plan for assurance. Mr. Vey stated the improvements to Canary Road would be designed by Mr. Andersen and in turn be reimbursed by the Turnpike Commission. Mr. Winkler stated construction may be able to begin as early as fall. Mr. Courduff stated there is much involved and further stated there may be an issue with the sewerage. Mr. Winkler raised concerned with a property on Walnut Lane who may be impacted. Mr. Vey stated he will check on the potential impact. There may be right-of-way negotiations that will need to occur between the property owner and the Turnpike Commission. There was no further discussion at this time.

Mr. Vey reports Milford Township is in receipt of a plan for the proposed Gehman Subdivision for the property located on Schupps Lane. The subject property is located in Lower Milford Township with a small portion of the property

being located in Milford Township. Mr. Vey stated there are stormwater concerns in the area. Mr. Vey stated the applicant has submitted the plan as a courtesy and seeks comments. Mr. Vey stated the project might have an impact on Joanne Drive. Mr. Courduff asked if soil classifications were available for review. Mr. Andersen stated the proposed subdivision is not located in Bucks County or Milford Township. Mr. Vey stated 95% of the property is located in Lower Milford Township with the remaining 5% being located in Milford Township. Mr. Andersen will contact the project engineer to discuss soil classifications. Mr. Courduff stated there is concern with flooding issues located at Joanne Drive. Mr. Winkler has been out to the area multiple times to address the flooding issues. Mrs. Harper stated stormwater facilities are to be designed in a way to prevent water flow on adjoining properties. It was determined that Mr. Vey and Mr. Winkler would meet Mr. Gehman on site to discuss further.

Mr. Vey stated there are two Verizon poles located with the right-of-way on Rosenberger Road which will need to be relocated prior to construction of the Rosenberger Road Bridge replacement. Mr. Vey stated he has reached out to Verizon and is awaiting a response at this time. Mr. Andersen made a recommendation that the land located under the bridge be sought for dedication to the township. Mrs. Harper will begin to prepare the documents required for dedication of right-of-way along with temporary construction easements.

**Public Comments:** Mrs. Ambron stated no public comment was received prior to the meeting.

**Adjournment:** Mr. Strunk adjourned the April 6, 2021 Board of Supervisors meeting at 8:35 pm. Mr. Strunk announced the Board will meet in executive session following the meeting to discuss potential litigation and enforcement action.



## **Milford Township Board of Supervisors' Meeting Minutes of May 4, 2021**

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**Call to Order:** Mr. Strunk called to meeting to order at 7:03 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; and Christopher Kletzing, IT Manager

**Approval of Minutes:** Mr. Courduff made a **MOTION** to approve the April 6, 2021 meeting minutes as presented. Mr. Strunk seconded the motion and the motion passed unanimously.

**Financial Reports:** Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with approval of the Treasurer's Report of March 2021. Mr. Courduff seconded the motion. The motion passed unanimously.

**Announcements:** Mr. Vey reported the Zoning Hearing Board would meet on Tuesday, May 11, 2021 to hear the application of Jeff Howard for a variance from Section 404.H2, to construct a swimming pool 10 feet from a side property line where 25 feet is permitted. The property is located at 1862 Streamview Way in the RD Zoning District.

**Other Business:** Mr. Vey stated the LifeQuest Financial Security Agreement has been executed by the applicant and submitted to the Township for signatures. Mr. Vey stated the agreement has been broken into two parts, one for the roadway and one for the stream crossing. Mrs. Harper stated the Developer and the Bank have signed the agreement. Mr. Strunk asked if the agreement covered the entire roadway, to the property line. Mr. Andersen stated it does as well as 50% of the stream crossing.

Mr. Strunk made a **MOTION** to approve execution of the LifeQuest Financial Security Agreement for Mill Hill Road East. Mr. Mininger seconded the motion. The motion passed unanimously.

**Subdivision/Land Development:** Quaker Pointe Hotel, Land Development Plan, 1915 John Fries Highway, TMP# 23-010-021-001- **Tabled**

### **Correspondence:**

Quakertown Borough has requested sponsorship of their annual Quakertown Community Day. The all-day celebration is held at Memorial Park and includes live entertainment, a car show, pancake breakfast, food booths, games, and fire works.

Mr. Strunk made a **MOTION** to approve a donation in the amount of \$2,500 to Quakertown Borough for the annual Quakertown Community Day. Mr. Courduff seconded the motion and the motion passed unanimously.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported the Bucks County Airport Authority tree clearing and re-planting project continues to move forward. Mr. Mininger stated funding has been authorized for crack sealing. Mr. Mininger further stated the Multimodal Grant Application submitted by the Airport Authority has not been selected for funding.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey stated the Minutes of the Meeting of the Milford Township Water Authority of March 9, 2021 are available for review.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey stated the Minutes of the Meeting of Milford Trumbauersville Area Sewer Authority of March 15, 2015 are available for review. The Sewer Authority has provided the township with a copy of the Chapter 94 Municipal Wasteload Management 2020 Annual report. Mr. Courduff stated he would like to obtain a copy of the Chapter 94 report for review. Mr. Courduff further stated as a courtesy to the township, the Sewer Authority should advise when a change of board members occurs.

### **Reports:**

**Code Enforcement:** Mr. Vey presented the Code Enforcement Report for April 2021. A total of 20 permits were issued in April: 5 residential renovation permits, 5 residential accessory permits, 2 commercial permits, 3 institutional permits, and 5 zoning permits. A total of 9 Use & Occupancy permits were issued, 1 Zoning Hearing Board Application was received, and 5 fire inspections were performed.

**Public Works Departmental Reports:** Mr. Winkler reported Reilly Sweeping swept all the developments and along all curbing throughout the township. AMS finished crack sealing and poly patching and spent three days skin patching. New certified playground mulch was put down around all play equipment in the parks. Underground electric to the Wonsidler Tractor pole building was installed. Shoulder repair was performed on Wright Road and Old Woods Road. Mr. Winkler stated AMS nova chipped Gateway, Hillside and Bannerstone Drive which turned out really well. Mr. Courduff asked Mr. Winkler if the slope on Gateway Drive received any extra attention to help control the flow of stormwater. Mr. Winkler said there is curbing installed down one side where the water flows to help control erosion and the only real storm sewer is located at the bottom of the roadway at Spinnerstown Road. Mr. Winkler stated AMS installed nova chip rather than a warm mix due to open grading on the hill, which will help eliminate issues in the wintertime. Mr. Courduff asked Mr. Winkler if he thinks the nova chip would hold up. Mr. Winkler stated he does. Mr. Winkler further stated he needs to speak with Mr. Andersen regarding the issue with Canary Road. Mr. Winkler stated he is having trouble finding someone to perform the testing of materials that were used on Canary Road. Mr. Winkler said a solution to the problem would be to install a chip seal with a slurry seal installed over top of the chip seal. The repair would cost an estimated \$90,000. Mr. Courduff asked Mr. Winkler if he is aware of any other municipalities who have encountered this problem with road materials. Mr. Winkler stated a lot of municipalities have stopped using overlay and have gone to nova chip. Mr. Winkler asked Mr. Andersen if there is anyway test for RAP material. Mr. Andersen stated he has recently received information that PennDOT does have a way to test the road materials. Mr. Andersen said he has been notified that there is concern that the supplier may have provided multiple municipalities with the same questionable material, which may grow into a bigger issue not just affecting Milford Township. Mr. Strunk stated the issue must be kept on top of, as it is an expensive problem.

Mr. Strunk asked Mr. Winkler why the street sweeping was farmed out when the township owns a street sweeper. Mr. Winkler stated there has been trouble with broom on the sweeper picking up debris. Mr. Strunk asked if it was time to get rid of the sweeper since it is not working properly. Mr. Winkler stated the sweeper works well for removing mud from the roadway. Mr. Courduff asked if street sweeping could be applied to the MS4 program and if credit could be received for such. Mr. Winkler said possibly if a vacuum were used, which would pull all materials up. Mr. Vey stated street sweeping might be covered as part of the Pollution Prevention Plan. Mr. Courduff said the township should possibly start looking at using a vacuum in the future. Mr. Vey stated the Pollution Reduction Plan is it's own entity, a stand-alone policy from the MS4. Mr. Courduff stated as part of the Pollution Reduction Plan a recommendation was made by our consultant to plant 3,500 linear feet of grasses. Mr. Vey stated there was discussion on planting on the banks of impaired streams. Mr. Vey stated it was discussed with Cowan to do the riparian plantings at the Quakertown Airport.

**Agricultural Security Area:** Mr. Courduff reported after a long discussion the Committee has decided to go forward with holding Milford Township's annual AG Daze event. The event will be held on Saturday, September 18, 2021. This is an outdoor event and all COVID restriction recommendations will be adhered to.

**Milford Township Volunteer Fire Company Report:** Chief Butler reported a total of 20 incidents for April 2021. Chief Butler stated the replacement of the Deputy's vehicle has been approved and the Fire Company will be utilizing Costars to purchase a new vehicle. The Fire Company has placed the order for the new radios. Chief Butler stated he is hoping the radios will be up and running by summer. Chief Butler reported three Junior Members and one Probationary Member have passed their FF1 class. Mr. Courduff asked Chief Butler how many hours were spent at the Rosedale Road incident. Chief Butler stated between 4 to 6 hours, however; he was not on the call personally. Mr. Courduff asked how many companies responded and what the total number of fire fighters present was. Chief Butler stated a total of 12 companies responded and a total of 60 fire fighters were present. Mr. Courduff asked how the fire could have started. Chief Butler stated the mulch piles have to be turned over to keep them cool, if the piles are not turned over they can self ignite. The fire was difficult to extinguish due to high winds. Mr. Courduff stated multiple incidents have occurred at this location in the past. Mr. Courduff asked if it is the property owner's responsibility to keep the temperature of the mulch piles down. Chief Butler stated it is. Mr. Courduff stated he finds the situation unacceptable and feels the incident could have been avoided. Chief Butler stated this type of fire is preventable. Chief Butler stated there are codes in place, such as turning the mulch piles to regulation the temperature, regulations on heights of the piles, and the required widths between

the piles. Mr. Courduff stated a lot of municipal resources were utilized at this incident. Chief Butler stated sometimes insurance claims could be submitted for reimbursement, however; he does not think it is applicable for this event.

**Trumbauersville Fire Company Report:** Mr. Strunk stated the Trumbauersville Fire Company March 2021 Report is available for review at the township building.

**Managers Report:** Mr. Vey presented the revised Parking Ordinance. Mr. Vey stated the proposed ordinance has been advertised as required. The ordinance addresses: unlicensed, uninspected vehicles parked on roadways; dismantled vehicles; trucks; large vehicles; closings for constriction; provides a list of permanent no parking on named roads; no parking during certain times; temporary and emergency parking; violations; and the assessment of fines. Mrs. Harper asked for public comment. Mrs. Ambron stated no public comment was received prior to this meeting. Mrs. Harper asked the public in attendance if there was any comment regarding the proposed ordinance. Susan Bergan of Willow Stream Drive asked how notification of a violation would be made. Mrs. Harper stated the township would post the roads named in the ordinance and notify first by a ticket left on the vehicle. If no response is received, the vehicle may then be towed and notice of such be sent by mail, to the registered owner. Mrs. Bergan asked what would happen to a vehicle parked on a street that is not posted "no parking". Mrs. Harper said for a vehicle to be parked on a public street the vehicle must be inspected and registered. Mr. Mininger asked if the ordinance would apply to those roads controlled by a Homeowners Association. Mrs. Harper stated those roads would be classified as private roads and would not be subject to the regulations found in the Ordinance. Mr. Raymond Dougherty of Lucky Lane asked if the parking ordinance applied to all streets in the township or those listed as it relates to inspection stickers. Mrs. Harper stated she could provide a list of the streets where parking is prohibited at all times even if the vehicle is inspected. Mr. Dougherty said he was looking for clarity on parking an uninspected vehicle on any public road in Milford Township and the towing of that vehicle. Mrs. Harper stated per the regulation found in the proposed ordinance the vehicle could be towed. Mr. Dougherty said state law allows an uninspected vehicle to be located on a public roadway as long as it is registered and insured. Mrs. Harper stated per the ordinance the vehicle could be towed. Mr. Dougherty asked if a municipal ordinance could supersede a state law. Mrs. Harper stated yes, a municipal ordinance could supersede state law. Mr. Dougherty asked what the procedure would be when the towing of vehicles that are in violation of the ordinance is necessary. Mrs. Harper stated advice could not be given on a hypothetical situation. Mrs. Harper further stated the Code Enforcement Officer would handle any violations. Mr. Strunk stated notice would be given prior to the towing of a vehicle. Mr. Bergan stated he is hopeful that the ordinance will be passed this evening. Mr. Bergan asked how long it would be until the ordinance could be enforced. Mrs. Harper stated once approved and adopted the ordinance goes into effect immediately. Mr. Mininger asked how much the signs would cost. Mr. Winkler stated the cost of each sign is \$125.00.

Mr. Strunk made a **MOTION** to approve Ordinance #177, An Ordinance regulating parking on certain streets and roads and providing for penalties for a failure to abide by parking regulations. Mr. Mininger seconded the motion. The motion passed unanimously.

At this time Mr. Mike Butler and his son Justin Butler, owner(s) of Victory Gardens located on Rosedale Road, joined the meeting to discuss the fire that occurred on the property. Mike Butler apologized for having to bring anyone out to the property. Mike Butler stated the fire was a combustion fire due to cold air and high winds the pile created combustion in the side of the pile. Mr. Butler stated measures have been taken to help eliminate an incident like this from occurring in the future. These measures include knocking down the size of the mulch piles, adding additional water lines to the area, keeping the ponds located on the property filled with water, and saturating the mulch piles throughout. Justin Butler stated this time of year the piles decrease significantly. An abundance of wood was received due to the ice storms that occurred throughout the wintertime. Mr. Vey asked if the temperatures of the mulch piles are monitored. Keith Butler stated the temperatures are monitored and the piles are aerated to help keep the temperature under 100 degrees. DEP has recommended the mulch piles be kept at/around 130 degrees to help with the elimination of the spotted lantern fly. Victory Gardens is working closely with DEP and has regular inspections of the site, which also include monitoring of the stormwater basins. Mike Butler stated the mulch piles are aerated then run through a screener, which removes any oxygen from the pile helping to prevent a combustion fire from occurring. Mr. Vey asked if the heights of the mulch piles are monitored. Mike Butler stated the piles are monitored and are kept at or under 25 feet in height. Mrs. Harper stated as part of the Zoning Hearing Board approval a condition was to also keep the piles separated allowing the fire company access to the site. Mike Butler stated they are adhering to the conditions of approval. There were no further questions or comments at this time. Justin Butler said he would like to set up a meeting to discuss further. Chief Butler stated a

meeting would be beneficial. It was left for Nathan Cordero to set up a meeting with Victory Gardens and the Milford Township Volunteer Fire Company.

Mr. Vey stated the Doerr Road Turnpike Agreement is still under way. Mr. Vey asked Mrs. Harper if she has had contact with the lawyer handling the right-of-way acquisition for the turnpike? Mrs. Harper stated she has not been contacted as of yet. Mrs. Harper said there is hope that the turnpike lawyers will draft the required agreements that are needed for the neighbors to sign. If not, reimbursement will be sought. Once the agreements are executed and recorded, a deed for the vacated Doerr Road will be recorded from Milford to the Turnpike

Mr. Vey reported the Public works roof is need of replacement. Mr. Vey stated it might be beneficial if half of the roof is replaced this year as part of the addition construction, and the other half next year. Mr. Strunk has recommended a charcoal color shingle.

Mr. Strunk made a **MOTION** to grant authorization to obtain quotes for the replacement of half of the roof of the Public Works Building. Mr. Courduff seconded the motion and the motion passed unanimously.

**Public Comments:** Mrs. Ambron stated no public comment was received prior to the meeting.

**Adjournment:** Mr. Strunk made a **MOTION** to adjourned the May 4, 2021 Board of Supervisors meeting at 8:09 pm. Mr. Mininger seconded the motion.

## Milford Township Board of Supervisors' Meeting Minutes of June 1, 2021

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The June 1, 2021 Milford Township Board of Supervisors Meeting was held via Zoom Meetings.

**Call to Order:** Mr. Strunk called the meeting to order at 7:00 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager

**Approval of Minutes:** Mr. Courduff made a **MOTION** to approve the May 4, 2021 meeting minutes as presented. Mr. Strunk seconded the motion. The motion passed unanimously.

**Financial Reports:** Mr. Strunk made a **MOTION** to approve the invoices listed for payment contingent on a review of the bills list, along with the approval of the Treasurer's Report of April 2021. Mr. Courduff seconded the motion.

**Other Business:** Mr. Andrew Gould of Urban Engineering provided the Board of Supervisors an update on the Portzer Road/Old Bethlehem Pike roundabout project. Mr. Gould stated letting of the project is anticipated for February 2022. The past year was spent working with PennDOT. A few setbacks occurred last year. Plan reviews were all but stopped once COVID hit. There were also issues with funding. Based on the construction schedule and the full detour, a one-year duration is expected. The final pave of the roundabout is anticipated to occur in the spring of 2023. The design permit has been approved. Right-of-way acquisition is underway. There are a total of seven claimants, four of which have been paid and settled, one payment is in process, and two have hired lawyers. PennDOT will proceed with eminent domain. The project is still on schedule with the clearing of the right-of-way. The underground utility companies are working through the relocation designs. The above ground utility relocation concept plan has been designed. Mr. Courduff asked Mr. Gould why utilities had not been located prior to the design phase taking place. Mr. Gould stated a PA One call was done and staff responded and painted the utilities, which were incorporated into the design concept, followed by the verification process. Mr. Courduff asked if the verification included the placement of horizontal and vertical utilities. Mr. Gould stated the PA One call is purely horizontal and as-built plans are utilized for vertical utilities. Mr. Gould stated isolated impact areas for the underground facilities are established based on storm drain design. Staff then performs test holing or subsurface utility engineering, which was started in October of 2020. There were a few additional requests made by some of the utility companies to locate additional utilities. Mr. Courduff stated, as he understands test holes were taken on May 24<sup>th</sup> and 25<sup>th</sup> and asked if the results have been received. Mr. Andersen stated Mr. Koenig arranged to have flagger force on site and 8 or 9 test holes were taken. The survey crew was on site at the same time, where they plotted all horizontal and vertical utilities; a water main profile was also plotted at this time. All vertical conflicts were noted and a tentative plan of the water main relocation has been created and delivered to the water authority. Mr. Courduff asked Mr. Gould where the water main is located currently and how much it will cost to relocate. Mr. Gould stated he has not seen the updated test hole information. Mr. Courduff asked if there are any outstanding items Urban Engineers needs to complete the design and move the project forward. Mr. Gould stated Urban Engineering is waiting on the underground water relocation design to incorporate into the plan. Mr. Courduff stated the horizontal location of Milford Township Water Authority's main is still needed at the roundabout. Mr. Courduff further stated an estimate is being put together on the cost of lowering something we don't much about. Mr. Andersen stated Mr. Koenig is obtaining the design for lowering the waterline and that a little less than 400' of pipe will need to be lowered roughly 7' deep in one area with most of the coverage being 5'-6'. Mr. Andersen and Mr. Koenig will be putting the estimate together. Mr. Andersen will then seal the plan. Mr. Courduff asked how a \$2 million dollar project gets held up for a water main to be lowered. Mr. Gould stated the utilities have not held up the project and he feels the setbacks have mostly been due to right-of-way acquisitions. Mr. Courduff stated he disagrees. Mr. Courduff asked Mr. Vey if he had any comments regarding right-of-way. Mr. Vey stated he does not although he was surprised that two of the property owners went by way of an attorney. Mr. Strunk asked if the project is on track. Mr. Courduff stated he believes we are and the numbers would need to be looked at. Mr. Gould stated his understanding is the project is a 50/50. Mr. Courduff asked Mr. Gould if 50/50 is for the utility and PennDOT. Mr. Gould stated yes. Mr. Gould further stated that some municipal authorities could apply for 75/25 where 25% would fall on the authority, however; he is unsure what situation dictates that. Mr. Andersen stated a 75/25 would be

the way to proceed, as the project cost will get quite high. Mr. Andersen estimates \$120,000 plus the cost of the valves. Mr. Courduff asked Mr. Gould if he sees any of this holding up the project. Mr. Gould stated he does not see the design holding up the project he feels if anything it would be funding and constructability.

**Announcements:** Mr. Cordero announced the Zoning Hearing Board is scheduled to meet on Tuesday, June 8, 2021 to hear the following applications; Milford Township/Thomas Boyds Inc. for a Special Exception from 808, to permit a change in use of a Tractor Service/Sales business to a Contracting business, namely a Flooring Contractor, for the property located at 1975 Trumbauersville Road; The application of Benjamin Weaver for a variance request from Section 404B1 and 404H2 to construct a 1,320 square foot pole building 50 feet from the road at a height of 23 feet to the peak, for the property located at 1940 Upper Ridge Road. Mr. Courduff asked if the proposed 50-foot setback was measured from the edge of the pavement or the centerline of the roadway. Mr. Cordero stated he believes it is 50 feet from the edge of the pavement but would verify with the applicant and report back; and the application of Brett Rudolph for the property located at 2150 Upper Ridge Road. The Applicant seeks a special exception from Section 804 to extend a nonconforming structure by constructing an addition to the existing dwelling. The Board had no comment at this time.

**Subdivision/Land Development:** Quaker Pointe Hotel, Land Development Plan, 1915 John Fries Highway, TMP# 23-010-021-001- **Tabled**

St. Luke's West Wing Expansion Revised Waiver Request – St. Luke's Hospital has submitted and requested approval of a revised waiver request letter dated March 11, 2021 with a revision date of April 30, 2021. The waivers requested include relief from §400.c, requiring Preliminary and Final Plan submission to occur in succession; §512.I.1.p, requiring storm sewer pipes to be oriented at right angles when crossing other utilities; §512.I.1.k, requiring matching crowns between changes in pipe size; §512.k.1, limiting basin sides to a maximum of 4:1 slopes; §512.k.3, requiring a minimum grade of 2% for the basin bottom; §512.k.7, requiring the use of reinforced concrete pipe (RCP, in stormwater conveyance systems; §517.b.7, requiring parking areas to be setback 15 feet from a roadway and 25 feet from a property line; §517.b.8, 519.a, 519.b and 608.a requiring provision of sidewalks along with side of a public roadway, new and existing; §520.a, requiring street trees along existing roadways; §607.s, requiring monuments to be set at each change in direction of a boundary. Following review of the requested waivers Mr. Andersen has recommended approval. Mr. Courduff inquired as to how long financial security could be held for frontage improvements. Mrs. Harper stated the Developers Agreement has been in progress and an Evergreen Clause could be insisted on, where the letter of credit posted does not expire automatically, notice must be given.

Mr. Strunk made a **MOTION** to approve the St. Luke's West Wing Expansion waiver request letter dated March 11, 2021 last revised April 30, 2021. Mr. Courduff seconded the motion. The motion passed unanimously.

**Correspondence:**

Sellersville Borough has requested Fire Police assistance for traffic control for the Sellersville Fire Department Carnival, which is scheduled for Tuesday, July 13 through Saturday, July 17, 2021 from 6:00 p.m. to 11:00 p.m.

Mr. Mininger made a **MOTION** to approve the Sellersville Borough request for Fire Police assistance at the Sellersville Fire Department Carnival being held from July 13 through July 17, 2021. Mr. Courduff seconded the motion and the motion passed unanimously.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported the Airport Obstruction Clearing contract has been let to Bigley Tree. Mr. Mininger stated he is unsure of a start date at this time. Soil removal equipment will need to be acquired prior to the start of the project. Due to the lateness of the season the project will most likely begin in the fall when the replanting can be done soon after removal. Mr. Vey asked if the idea of deferring of the replanting has been considered due to the heavy chipping and mulching of the trees that are to be removed. Mr. Mininger stated he feels that is not a bad idea, as the branches and wood chips degrade and decompose an acid is created which is not good for the newly planted trees. It was noted that a later planting might be more feasible. Mr. Courduff asked if the trees being removed were ash trees. Mr. Mininger stated yes. Mr. Courduff stated there is an issue with killing the emerald ash borer through the chipping process, as the temperatures needed to kill the insect cannot be achieved. Mr. Mininger stated he would have a conversation with the engineer regarding the pros and cons of the removal of the chips.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey stated the minutes of the meeting of the Milford Township Water Authority of April 13, 2021 are available for review. Mr. Vey stated as reported in the meeting minutes, the Milford Township Water Authority has completed the annual fire hydrant flushing.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey stated the minutes of the meeting of Milford Trumbauersville Area Sewer Authority of April 19, 2021 are available for review.

Mr. Vey reported a request to install a left turn arrow at the traffic signal located at the Route 663 and Spinnerstown Road intersection has been received, specifically a left turn arrow for those motor vehicles that are making a left onto Spinnerstown Road. It has been reported that the number of motor vehicle accidents at the intersection are on the rise. Mr. Vey asked Mr. Cordero if he feels a left arrow would help with the number of accidents that occur at the intersection. Mr. Cordero stated he feels an arrow would be helpful. The current traffic light is positioned over the left turn lane and he thinks motorists may think when the light turns green it is specifically for the left lane. Mr. Mininger asked what types of accidents are occurring at the intersection. Mr. Cordero stated the accidents usually involve vehicles crossing through the intersection from Spinnerstown Road onto Route 663. Mr. Cordero asked if there was a benefit to installing one green arrow on one side versus a green arrow on both sides of Route 663. Mr. Vey stated we would look at both sides of the intersections. Mr. Courduff asked if Milford Township is responsible for the traffic signal. Mr. Vey stated Milford Township is responsible and permission would need to be requested to make any modifications to the traffic signals. Mr. Courduff asked if a traffic study would be required and if we should proceed with such. Mr. Vey stated a request of change could be required. Mr. Strunk stated a request should be made to PennDOT for their input. Mr. Winkler stated he feels if left turn arrows are installed at the intersection they should be timed green arrows each way. If the light stays green the entire time the problem will still occur. Mr. Vey stated he would contact PennDOT for advice and procedure for the traffic signal modifications.

Mr. Vey stated correspondence was received from Milford Trumbauersville Area Sewer Authority regarding the availability of public sewer to serve 570 E. Cherry Road, Springfield Township. Mr. Vey stated a sewer line was installed many years ago for existing failed septic systems. Some of the allocated capacity has been used for development since that time. The Act 537 plan does not show the area as development as it is located in Springfield Township. The letter received from the sewer authority does point out that the applicant would need to make a formal request to Milford Township. No formal request has been made at this time.

Mr. Vey reported the Liquid Fuels Audit was performed with no findings.

The Shelly Fire Company Balance Sheet is available for review.

### **Reports:**

**Code Enforcement:** Mr. Cordero presented the Code Enforcement Report for May 2021. A total of 28 permits were issued in May: 7 residential renovation permits, 8 residential accessory permits, 4 commercial permits, 1 single family dwelling permit, 1 residential addition, and 7 zoning permits. A total of 14 Use & Occupancy permits were issued, 3 Zoning Hearing Board Application were received, and 7 fire inspections were performed.

**Public Works Departmental Reports:** Mr. Winkler presented the May 2021 Public Works Departmental Report. Mr. Winkler stated the Public Works Department began the month replacing an inlet hood on Milford Square Pike. Two "No Left Turn" signs were installed coming out of Caitlyn and Cody's Diner onto Route 663. The AMS road sealer truck was brought in for a day and chip sealed Possum Hollow Road, Mill Road (at the skate pond) and Erdman Road. The road crew attended a safety seminar held by our insurer. Dave's Services came in for two days taking down large dead trees in our open space on Trumbauersville Road and Rosenberger Road at the bridge. The pipe needed for Rosenberger Bridge has been ordered. The crew has been hauling in #4 stone and stocking it in the yard.

Mr. Strunk asked if Verizon is scheduled to move the effected poles at the Rosenberger Road Bridge replacement site. Mr. Winkler stated once all the trees are down the poles will be moved. Mr. Vey stated Verizon would utilize an outside contractor for the moving of the poles.

Mr. Courduff asked about the blow out in the roadway on Route 663 in front of St. Luke's hospital and what may have caused the road failure. Mr. Winkler stated he feels the problem with the road is the base or lack thereof. It was noted that the roadway is wet in that area and the road was brought up with paving during the roadway construction. Mr. Courduff asked who would be charged with fixing the roadway. Mr. Winkler stated responsibility should fall on the hospital.

**Park Board:** Mr. Vey presented the Park Board Minutes from the meeting of May 12, 2021. Mr. Vey stated the Park Board discussed the pickle ball court, which is scheduled to be installed in August, along with disc golf repairs, which are scheduled to take place in June. There will be more American Chestnut planted in the fall along with the replacement of the pavilion at Unami Park. Mr. Vey stated the Board discussed the splash pad along with the proposed parking lot. A

grant was submitted to DCNR for the splash pad, however; awarding of the bids is not announced until December. A discussion was had on the Brinkman Trail and the possibility of laying wood chips on the trail. Mr. Winkler stated woodchips would impede mowing and weeds would grow up through the wood chips. The Park Board would like to install a parking lot in the area of the Upper Ridge Road Bridge along the guiderail to access trails. Mr. Winkler stated you would not be able to see to safely pull out of the parking area. Trail connections would need to be made down along the Unami Creek. Mr. Courduff asked Mr. Winkler what his thoughts are on the Fernbrook Park pavilion. Mr. Winkler stated the pavilion has been vandalized multiple times and recently the wiring that was installed at the pavilion was ripped out. Mr. Courduff stated it was mentioned by the Park Board that if the sides are removed, and it is kept relatively open, the Neighbors could see what was happening at the park. Mr. Mininger asked if many requests are made for the use of the pavilion. Mrs. Ambron stated not many, if any. Mr. Courduff stated meetings used to occur at Fernbrook Park but have been discontinued for quite some time. Mr. Courduff asked Mr. Winkler if he thinks the pavilion should be removed. Mr. Winkler stated there are no bathrooms located at this park, which attributes to the lack of people being able to utilize the park. Mr. Vey stated he feels the pavilion has seen it days and recommends the pavilion be removed.

**Milford Township Volunteer Fire Company Report:** Chief Butler reported a total of 38 incidents for May 2021. Chief Butler stated the 75 boxes, along with the turnpike boxes, have been updated with the county.

**Trumbauersville Fire Company Report:** Mr. Strunk stated the Trumbauersville Fire Company April 2021 Report is available for review.

**Managers Report:** Mr. Vey reported the Right-of-Way and the Easement Agreements for the Rosenberger Road Bridge replacement project have been secured. Mr. Courduff asked Mr. Vey the status of the project. Mr. Vey stated the Verizon poles need to be relocated and the bridge is currently being manufactured. Mr. Courduff asked if the right-of-way agreements take care of all of the needed right-of-ways for the bridge replacement. Mr. Andersen stated yes, as well as a temporary construction easements. Mr. Vey stated a meeting is scheduled Thursday with Trout Unlimited. The original proposal called for an Armortech creek base, which has been revised. Mr. Andersen stated the current plans calls for roughly 6' of diabase rock that will need to be drilled through for the bridge to be installed. It was stated that the project would not have moved forward if the change was not made.

Mr. Strunk made a **MOTION** to accept dedication of a portion of the right-of-way for the property located along Rosenberger Road, TMP# 23-010-030 and TMP# 23-010-069-001, granted by Mr. David Uhle and a portion of TMP# 23-010-044 granted by Mr. Robert Bauer. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Vey stated the Wireless Facility Ordinance is ready for review. The Planning Commission members, at their next meeting, will review the proposed ordinance. Mr. Courduff asked Mrs. Harper is she had any preliminary comments to offer at this time. Mrs. Harper asked Mr. Vey if the proposed ordinance is a Quakertown Area ordinance or a Milford Township ordinance. Mr. Vey stated the ordinance covers Milford Township. Mrs. Harper stated the ordinance does not currently work by zones as an ordinance normally does, specifically looking at the Airport Overlay District and the installation of towers. Mrs. Harper said the ordinance, as written, has a lot of good ideas but the ideas will need to be streamlined allowing for towers in certain zones, by conditional use, and so forth. Mr. Vey stated the ordinance also incorporates all types of antennas, not just towers. There is concern with whips being installed in an obtrusive manner.

Mrs. Ambron presented the fee schedule amendment. Mrs. Ambron stated an amendment is needed to the Plumbing Permit Fee Schedule, changing the cost of additional fixtures to \$15.00 per fixture after 7, opposed to \$45.00 as written. The amendment follows a previous amendment to the fee schedule made in 2020. The cost per fixture was carried over at the pre-amended cost. Mrs. Ambron stated an amendment is also proposed to the Advisory Road Sign section of the fee schedule revising the schedule to read, "Upon approval, the Board of Supervisors will honor these requests provided the resident agrees, in writing, to pay the required fees. Mr. Courduff asked Mr. Cordero if during a sewer lateral inspection, if we are inspecting from the curb to the house. Mr. Cordero asked if this is at the time the lateral is being installed? Mr. Cordero stated he believes that the water and sewer authority performs the inspections, and Milford Township inspects the inside of the house. Mr. Courduff stated an inspection is not being performed of the sewer lateral, as the spec is a little different then the code. Mr. Courduff asked if tests are put on the water line and sewer lateral and if Mr. Cordero is made aware of the results prior to the inside work taking place. Mr. Cordero stated he is not. Mr. Courduff asked Mr. Cordero to look into the matter further. Mr. Andersen stated for new house construction the water authority inspects and pressure tests to the curb stop and typically the sanitary sewer goes to the clean out.



Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-012**, Amended Fee Schedule, amending the Plumbing Permit Fee Schedule additional fixture to \$15.00 and the approval of the amendment to the advisory road signs. The motion was seconded by Mr. Mininger and passed unanimously.

Mr. Vey stated Bracalante would be submitting a conceptual sketch plan for comment. The plan will be reviewed at the next Planning Commission meeting. Industrial zoning will most likely be sought after and he feels traffic will be a concern. Mr. Courduff asked if the applicant has approached Trumbauersville Borough. Mr. Vey stated he believes they have.

Mr. Vey reported revised plans for the Wonsidler Farmhouse have been received. Mr. Vey stated the plans allow for three bedrooms with a more spacious feel.

Mr. Vey reported St. Luke's is seeking an approved resolution to modify the existing traffic signal at John Fries Highway and Portzer Road. Mr. Vey has verified with Signal Service as well as other sources that what is shown on the plan accompanying PennDOT application is in conformance with what we want to see. The modification will allow for the traffic adaptive at the St. Luke's driveway to Portzer Road. Mr. Vey asked PennDOT if standard language was available for the resolution, no response was received. Mr. Courduff asked if the modification would put the maintenance requirements on Milford Township. Mr. Vey stated yes, everything would be put on us. Mr. Andersen recommended that St. Luke's be listed as the applicant on the permit application, not Milford Township. A recommendation was made that a resolution not be approved at this time due to sample resolution language not being received and agreements not being fully prepared or executed to date.

**Public Comments:** Mrs. Ambron stated no public comment was received prior to the meeting.

**Adjournment:** Mr. Strunk made a **MOTION** to adjourn the June 1, 2021 Board of Supervisors meeting at 8:38 pm. Mr. Courduff seconded the motion.

## Milford Township Board of Supervisors' Meeting Minutes of July 6, 2021

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The July 6, 2021 Milford Township Board of Supervisors Meeting was held as a hybrid meeting, in person and via Zoom Meeting.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary/Treasurer; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager

**Call to Order:** Mr. Strunk called the meeting to order at 7:01 p.m.

**Approval of Minutes:** Mr. Courduff made a **MOTION** to approve the June 1, 2021 meeting minutes as presented. Mr. Mininger seconded the motion. The motion passed unanimously.

**Financial Reports:** Mr. Strunk made a **MOTION** to approve the Treasurer's Report of May 2021 along with the invoices listed for payment contingent on review of the bills list. Mr. Courduff seconded the motion. The motion passed unanimously.

**Announcements:** Mr. Cordero announced the Zoning Hearing Board is scheduled to meet on Tuesday, July 13, 2021 to hear the following applications; the application of QVC Realty for the property located at 2250 N. Old Bethlehem Pike in the RA Zoning District. The Applicant seeks a variance from Section 501 of the Zoning Ordinance and/or an interpretation of the November 12, 2019 Zoning Hearing decision to permit expansion of the veterinary clinic allowing 18.6% impervious coverage of the original site and 24.4% coverage of the site subtracting land donated for open space where 20% is allowed. A variance is sought from Section 804.b.3 to permit intrusion into a 100 ft. buffer that otherwise restricts the expansion of the original vet clinic to 50%. A special exception is sought under Section 804.a to allow the expansion of the vet clinic and the addition of parking at the same distance from the closest property line as existing parking. Mr. Courduff asked if the township would be send anyone was in support of the application. Mr. Vey stated he requests approval to attend the Zoning Hearing Board meeting on behalf of Milford Township in support of the application. Mr. Courduff stated Quakertown Vet donated a portion of their property in support of the roundabout at Old Bethlehem Pike and Portzer Road and he would hate to see them penalized for supporting township efforts in traffic control. Mr. Vey stated the only item unrelated to the donation to the township is the placement of the proposed kennel building. It makes sense to build the structure in the proposed location it makes sense to go on the high and dry land on the southwest of the property. Stormwater detention facilities that accommodate stormwater from existing and proposed building will be constructed as part of the proposal.

Mr. Strunk made a **MOTION** to authorize Mr. Vey to attend the Zoning Hearing Board Meeting of July 13, 2021, on behalf of Milford Township in support of the Zoning Hearing Board Application submitted by QVC Realty for the property located at 2250 N. Old Bethlehem Pike for a variance from Section 804.b.3, Section 804.a and a special exception from Section 804.a. Mr. Courduff seconded the motion and the motion passed unanimously.

The application of Jon Landis for the property located at 3405 East Buck Road in the RZ Zoning District. The Applicant seeks a variance from Section 404.H.2 to construct a 2,400 sq. ft. pole building at a height of 24 feet where 18 feet is permitted.

The Application of Daniel Herr for the property located at 2560 Allentown Road in the RZ Zoning District. The Applicant seeks a variance from Section 404.H.2, to allow an accessory structure to be located 4 foot from the rear property line and 9 foot from the side property line and Section 404.A.1.g, to permit the keeping of poultry and goats.

Mr. Strunk asked Mr. Cordero if the Zoning Hearing Board notes BMP's are to be utilized with the installation of larger structures. Mr. Cordero stated down spots and guttering are typically discussed as well as the direction of travel of stormwater. Mr. Strunk stated rain gardens and dry wells should also be discussed when referring to BMP's.

**Subdivision/Land Development:** Quaker Pointe Hotel, Land Development Plan, 1915 John Fries Highway, TMP# 23-010-021-001- **Tabled**

## Correspondence:

**Bucks County Airport Authority Meeting Minutes.** Mr. Courduff asked for clarification on a donation noted in the minutes. It is stated that \$250.00 to Milford-Trumbauersville Fire Company was made. Mr. Mininger stated that was an error and it should read a donation was made to Milford Fire Co. Mr. Mininger stated the runway was closed for crack sealing and painting. Mr. Mininger reported the Airport Obstruction Clearing project would begin this fall. Mr. Strunk stated the project had a significant delay. Mr. Mininger stated it did, however; it worked out with obtaining all the required approvals as well as grant procurement and stormwater devices.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey stated the minutes of the meeting of the Milford Township Water Authority of May 11, 2021 are available for review. Mr. Courduff stated he has questions regarding the cost estimate to lower the pipe at the roundabout. Mr. Courduff asked Mr. Strunk if he has seen the estimate. Mr. Strunk stated he has not. Mr. Courduff stated it is roughly 400% more than originally suggested. Mr. Courduff stated he received an estimate with a total of \$500,000, which equates to approximately \$1,100 per foot to lower a 12" water main. Mr. Courduff stated he isn't sure how to go about establishing a cost estimate, he is aware of two methods, one would be a bona fide bid and the other is an estimate by the professional engineer, or the professional engineer certifying the bona fide bid. Mr. Courduff asked Mr. Andersen if we are in any mode for any of these methods of establishing a cost. Mr. Andersen stated the estimate is not a bid it is Mr. Koenig's estimate. Mr. Andersen stated we are not close to having an official bid or estimate at this time. Mr. Courduff asked Mr. Andersen if we were to submit now would we be looking for a 50/50 or a 40/60 split between PennDOT and the water authority? Mr. Andersen stated he believes Richland Township may have some obligation to pay for part of the project as well. Mr. Courduff stated we do not have an agreement in place at this time with Richland Water Authority. Mr. Andersen stated he has had a conversation with Mr. Koenig regarding the estimated cost and some revisions can be made to help lessen the cost. Mr. Vey asked how the cost estimate is being used it isn't solicitation of bid will it be given to PennDOT as a basis for 50% cost reimbursement. Mr. Vey stated cost reimbursements are typically issued off of actual cost and not off an estimate. Mr. Vey stated he thinks the estimate seems high to help cover costs to ensure the estimate is not low. Mr. Courduff asked why PennDOT would accept the estimate? Mr. Vey stated he would put a call into PennDOT to discuss procedure. Mr. Courduff stated he feels the only way PennDOT would accept the cost estimate is if Mr. Andersen seals the proposal. Mr. Andersen stated he would not seal the estimate at this time. Mr. Andersen stated he recommends a sit down meeting with Mr. Koenig, Mr. Vey and himself to acknowledge the estimates that are too high and adjust accordingly. Mr. Courduff asked Mr. Andersen would then seal, Mr. Andersen stated he would. Mr. Andersen stated once the cost estimate is in place he would like to reach out to Richland Township Water Authority.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey stated the minutes of the meeting of Milford Trumbauersville Area Sewer Authority of May 17, 2021 are available for review. Mr. Vey reported correspondence has been received from the sewer authority regarding the latest request for sewer capacity required to serve the build out of Milford Village. When the master plan was first presented a total of 600 EDUs were requested, which the Authority had capacity for. The latest revision is requiring 1,003 EDUs. With the added EDUs the wastewater treatment plan would have to be re-rated from .800 MGD to 1.0 MGD. The plant is currently designed to treat 1.000 MGD, however, it is unknown if DEP would allow the additional loadings on the Unami Creek. It was stated that the additional capacity request would require an Act 537-plan revision. Mr. Courduff stated the major question in play is the plant discharges to a high quality water stream and to upgrade the plant by 200,000 GPD or get a new permit to 1,000,000 GPD per day is a substantial effort and would take a substantial amount of time if in fact it was approved. Mr. Courduff stated he was under the impression the sewer authority was in pretty good shape and wastewater capacity was not an issue and a major study may be needed to really look into the issue. Mr. Vey stated he found it interesting that the request for capacity for Milford Village had apartments, a banquet hall and retail office of which are plans the township has not seen. It appears Milford Village is trying to secure EDUs at this time. Mr. Courduff stated these are the issues that will need to be gone through in more detail. Mr. Strunk stated if LifeQuest suddenly needed more EDUs what has changed? Mr. Mininger asked what was approved and what was asked for originally. Mr. Andersen stated townhouses and apartments were once requested, but that lot has since been approved for Alpas. Mr. Strunk stated a review will need to be and a discussion had in the future.

**Bucks County Tour of Honor.** Mr. Vey reported the Bucks County Tour of Honor is preparing for its 2021 mission to pay tribute to our Country's World War II, Korean and Vietnam Veterans. A request has been made to assist in honoring our veterans by contributing toward the trip with an advertisement in the fall edition of the Bucks County Tour of honor program directory.

Mr. Courduff made a **MOTION** to donate \$250.00 for advertisement in the fall edition of the Bucks County Tour of Honor program directory. Mr. Strunk seconded the motion and the motion passed unanimously.

**Trumbauersville Volunteer Firefighters Relief Association Compliance Audit.** Mr. Vey stated the report is available for review.

### **Reports:**

**Code Enforcement:** Mr. Cordero presented the Code Enforcement Report for June 2021. A total of 24 permits were issued in June: 3 residential renovation permits, 9 residential accessory permits, 3 commercial permits, 4 home occupation permits, 1 institutional, and 4 zoning permits. A total of 17 Use & Occupancy permits were issued, 3 Zoning Hearing Board Application were received, and 1 fire inspection was performed.

**Public Works Departmental Reports:** Mr. Winkler presented the June 2021 Public Works Departmental Report. The Public Works Department began the month moving two disc golf tees and baskets at Unami Creek Park. The crew installed a swing set and painted out for the pickle ball court at Unami Park. The nets for the pickle ball court just arrived and will be installed soon. Dave's Services helped remove large trees at the Rosenberger Bridge project. We had our pre-construction meeting for the bridge replacement. The limit of disturbance fencing and silt sock has been installed. The 6" water pump will be on-site July 6<sup>th</sup>. Contech has scheduled the delivery of the footings for the first week of August. The bridge is scheduled to be delivered the second week of August. L&L Crane has been notified of the delivery dates. A cross pipe was replaced on Sheetz's Church Road. Trees and bamboo were cut down to clear the site distance at Zipp and Old Plains Road. Dead trees were removed in the open space at Valley View and Spinnerstown Crossing. Mr. Courduff asked Mr. Winkler if he has heard from Bucks County regarding Nursery Road Bridge. Mr. Vey stated he spoke with Kevin Spencer who is researching operational costs should Milford township take possession of the bridge, as well as capital cost with the two avenues being the work would be done then the bridge would be turned over or to turn the bridge over to Milford Township along with costs to repair. Mr. Courduff asked Mr. Vey what his impression is of the county of turning the bridge over. Mr. Vey stated he is unsure at this time. Mr. Vey stated he would like to obtain a copy of the bridge inspection report to review. Mr. Vey stated he would like to do a site visit with Mr. Winkler to view the current condition of the bridge mainly the water that is getting behind the abutment. Mr. Mininger stated he agrees. Mr. Courduff stated repair/replacement of Nursery Road Bridge would require a lot of permits. Mr. Courduff stated we should continue to move forward.

**Park Board:** Mr. Irick presented the Park Board Minutes from the meeting of June 9, 2021. Mr. Irick reported the pickle ball court at Unami Creek Park has been painted. The pickle ball court is half of the basketball court which adjacent to the hockey court. This is a temporary court to see what type of usage the court receives. Mr. Courduff asked how the usage would be monitored. Mr. Irick stated he relies on the eyes and ears in the area. Two holes have been relocated at the disc golf course. The course has been cleaned up and signage is being updated and should be installed soon. It is a hope that there will be enough play to keep the vegetation down. The Park Board discussed a dog park with a potential location up behind the water tower in the area of the baseball fields. Mr. Irick stated he will be putting plans together and further in depth discussions will be had. Mr. Courduff asked Mr. Irick what the general overall feeling of the location of the dog park was of the Park Board. Mr. Irick the Board likes the location there is plenty of parking and it is out of the way and uses an unused portion of the park. Visits were made to multiple municipal dog parks to get a feel of what should be put into the dog park. Mr. Irick stated the splash pad was discussed at the meeting. Mr. Vey stated a grant application was submitted to DCNR for funding for the splash pad. Mr. Irick said the park entrance signs are in need of repainting. A coat of paint should be all that is needed at this time. Trail connections between Fernbrook Park and the Kaufman tract were also discussed. Mr. Irick said this is an ongoing discussion that the board thinks is a necessary beneficial link. Mr. Courduff said we are looking for a trailhead somewhere on Upper Ridge. The township owns the Bunn tract, which has an existing driveway. Mr. Irick stated he did look at that as well and the driveway may work. With utilizing the existing driveway there would be no need for a permit. Mr. Vey stated we could also look at a trail along the Unami on the Bunn tract. Mr. Mininger asked Mr. Irick what the Park Boards opinion is of removing the pavilion at Fernbrook Park. Mr. Irick stated the Park Board has discussed the removal of the pavilion. Mr. Irick said he personally likes the pavilion and is aware of ongoing problems with vandalism and hanging out. The pavilion is structurally sound. Mr. Courduff stated the issue was restroom facilities for the public and that may be the reason it is not so well attended. Mr. Vey asked Mr. Winkler what previous experience with flooding has been. Mr. Winkler stated there are flooding issues during the 2-3 day storms we have were the water comes up to the road. Mr. Winkler said the vandalism is a big concern. Mr. Courduff stated we are looking at more of an enforcement issue than a nice facility for the public. Mr. Courduff noted maybe security cameras should be discussed. Mr. Strunk asked if security cameras could be installed at this location. Mr.

Kletzing stated a storage area would be required for the devices. Mr. Vey asked Mr. Winkler if we have a meter base at the property. Mr. Winkler said there is, it is located out on the pole and there is a service panel inside the pavilion that has been locked. Mr. Winkler suggested taking the pavilion down and putting picnic tables under the trees. Mr. Winkler stated he just keeps going back to public restroom facilities and feels that is the issue. Mr. Winkler stated there is a septic on the property and is able to be pumped. Mr. Vey stated we could install concrete facilities that would not wash away in a flood. Mr. Strunk stated he would like to see security cameras installed at Fernbrook Park.

**Milford Township Volunteer Fire Company Report:** Chief Butler reported a total of 38 incidents for June 2021. Chief Butler stated the replacement of the Deputy's vehicle has been approved and the fire company will utilize Costars to purchase the replacement vehicle. The annual carnival has been canceled this year due to COVID. The fire company will be holding the annual pictures with Santa event this winter.

**Trumbauersville Fire Company Report:** Mr. Strunk stated the Trumbauersville Fire Company May and June 2021 Reports are available for review.

**Managers Report:** Mr. Vey stated Bracalante Manufacturing has submitted a Conceptual Sketch Plan, which would include a change of Zoning District. Mr. Irick, Mr. Ron Bracalante and Mr. Ken Kratz were in attendance to present the proposal. Mr. Irick stated the applicant proposes to expand the facility under PI, Planned Industrial, with a use G12-Industrial Park. The current facility is 75,000 sq. ft. a portion of the tract is located in Trumbauersville Borough with the other part being located in Milford Township. The tract has road frontage on both Creamery Road and Main Street. The existing zoning in Milford Township is RD, Rural Development and in Trumbauersville Borough the zoning is SRL, Suburban Residential, both of which are residential zoning districts. Bracalante has for many years operated under a series of variances granted by the Trumbauersville Borough Zoning Hearing Board. The portion of the tract located in Milford Township is vacant. The Conceptual Sketch Plan depicts a change in zoning from RD to PI, Planned Industrial. The change will allow Bracalante to retain and expand its operations and provide space for partner vendors. Proposed on the sketch are two 83,000 sq. ft. flex space buildings, one in Trumbauersville Borough and one in Milford Township, along with required parking and necessary loading facilities. The proposed use would include manufacturing, warehouse and office uses. The tract is to be served with public water and public sewer. A traffic study will be performed prior to submission of the application. Stormwater management facilities will be done on site. At this time Mr. Irick asked if there were any questions. Mr. Courduff asked if the applicant is contiguous to the Miller Tract. Mr. Irick stated yes, the zoning district is all RD. Mr. Strunk stated that Milford Township isn't terribly affected by the proposal and the major impact is on Trumbauersville Borough. Mr. Strunk recommends approaching Trumbauersville first to see if the can handle the traffic and the impact. Mr. Irick stated Trumbauersville was approached and it was suggested they speak with Milford first. Mr. Irick stated one of the proposed buildings along with two exits would be located in Milford Township. Mr. Strunk stated he doesn't see any big problems with Milford. Mr. Courduff stated he does not recall any complaints regarding the Bracalante operation. Mr. Courduff asked if there would be any deleterious issues to expanding the operation from Trumbauersville Borough's standpoint? Mr. Bracalante stated he does not foresee any reasons why Trumbauersville Borough would not be in favor of the proposal. Bracalante has always been very supportive of the community. Mr. Strunk said a lot would depend on the traffic study. Mr. Courduff asked Mr. Bracalante to provide a break down of the proposed use. Mr. Bracalante said each building would include manufacturing, warehousing, and an office use. Phase I would be the Trumbauersville build and Phase II would be the Milford build. Mr. Bracalante stated there is need for expansion to occur within the next 18-24 months. Mr. Bracalante stated the Milford tract could be 3-5 years out. Mr. Bracalante stated traffic might be reduced. Traffic would come in to deliver raw materials, which would then be manufactured and processed then shuttled back to the home base. There are currently 130 employees operating in a 75,000 sq. ft. building with three shifts. Most partner companies are 2 shift operation companies. Mr. Courduff said that has a great bearing, meaning the in and out traffic. Mr. Courduff said he feels traffic will be the biggest issue. Mr. Courduff further stated he has heard continual complaints about Main Street being a bypass from Route 663 south. Traffic sits on Main Street during peak hours making it tough to get through the borough, with no light to aide in allowing more traffic through at a time. Mr. Courduff stated he doesn't know if a light would work at the intersection or not. Mr. Bracalante stated a fence would be installed allowing office traffic to enter in one driveway, and truck traffic through a second driveway with the hopes to avoid the five-point intersection as much as possible. Mr. Courduff stated the issues are PennDOT issues and they are in control of it. Mr. Strunk stated he feels a traffic study is in order. Mr. Irick stated there has been a lot of discussion regarding the need for a traffic study and it is agreed that a traffic study should be performed. Mr. Bracalante stated he feels the proposal should be discussed conceptually with the right people getting together to talk through the plan to come up with ideas that work. Mr. Strunk stated he sees at least 2 favorable opinions at

this time. Mr. Mininger stated it would be good to know how much increase in traffic would be and conceptually he agrees this is mostly going to affect Trumbauersville Borough. Mr. Vey stated the conceptual plan was submitted for review to confirm that proceeding with the proposal would be feasible. Mr. Vey stated an application for zoning change should be coordinated with Trumbauersville Borough. Mrs. Harper stated she does not want to see a spot rezoning and the zoning districts should be looked at to ensure it is consistent with the Comprehensive Plan. Mr. Courduff stated it is contiguous to an existing operation and they would like to expand. Mrs. Harper stated that is correct and the applicant can as a nonconforming use if they appear before the Zoning Hearing Board. Mrs. Harper states she feels this is a larger project and they are not just expanding the existing building. It was noted that a PI use has been in operation on the parcel for years. Mrs. Harper stated a traffic study would show if any traffic improvements would be needed in Trumbauersville Borough and/or Milford Township and the two municipalities would need to work together. Mr. Courduff stated he is unsure if PennDOT has information at this time regarding the conditions and or issues with the five-point intersection. Mrs. Harper made a recommendation to contact Senator Mensch's office to inquire about any plans or reports with PennDOT for the intersection. Mr. Bracalante asked for a recommendation on how to move forward. Mr. Vey stated an application should be submitted along with a traffic study. Mr. Irick asked if it would be beneficial to hold a staff meeting with the parties involved. Mr. Vey stated yes, and suggested having a discussion with the neighboring property owners as well. Mr. Vey recommended submitting the change of zoning request and Land Development Application simultaneously so reviews could run parallel. Mr. Irick stated they would be visiting Trumbauersville Borough within the next several weeks. Mr. Bracalante stated it might make sense to put together a committee consisting of staff from Trumbauersville Borough and Milford Township. Mr. Vey stated the Board of Supervisors might want to designate a working committee. Mr. Mininger asked if the adjacent neighbors knew the plan. Mr. Bracalante stated no, the plan has been kept pretty quiet. Mr. Bracalante stated he didn't want to stir things up until a clear path was defined and he certainly does want to get the neighbors involved. Mr. Strunk stated Milford is generally favorable of the proposal and a meeting will be put together with the appropriate people.

**Upper Hanover Proposed Warehouse-** Mr. Vey stated Milford Township is in receipt of a proposal for a warehouse at 2512 Quakertown Road off of Geryville Pike in Upper Hanover. The Planning Commission reviewed the proposal and two concerns were raised, one being the amount of additional impervious surface coverage which should be addressed through stormwater management facilities and two being increase in truck traffic and the effects it will have on the existing inadequate road base at Quakertown Road and Geryville Pike. Mr. Courduff asked if there were any improvements proposed to the intersection of Route 663 and Geryville Pike. Mr. Vey stated he is unsure if improvements are proposed. Mr. Strunk stated there are major repairs needed to the intersection. Mr. Strunk stated a letter should be sent to Upper Hanover Township mentioning the concerns with the sizeable increase in impervious surface and assuring the stormwater run off is controlled with the appropriate sized facilities and the concern with a significant increase in truck traffic and the effects it will have on the roadways, specifically the intersection of Quakertown Road and Geryville Pike and also the intersection of Route 663 and Geryville Pike. Mr. Courduff stated he appreciates Upper Hanover's request for comments.

**VW Consultants LLC-** Mr. Vey provided the Board with a proposal provided by VW Consultants LLC to conduct soils testing along with the design of a new on-lot sewage disposal system for the dwelling at 1975 Trumbauersville Road.

Mr. Strunk made a **MOTION** to approve the proposal issued by VW Consultants LLC for soils testing and a design for a new on-lot septic system for the property located at 1975 Trumbauersville Road. Mr. Courduff seconded the motion. The motion passed unanimously.

**ARLE Grant-** A grant application has been submitted through the ARLE Funding Program. The intent is to install left turn arrows at the intersection of Route 663, Spinnerstown Road, and Krammes Road. PennDOT has been very helpful in offering assistance to put the application together, which has been favorably received. Mr. Vey made mention that the existing mast arms at the effected intersection will need to be replaced if the grant is approved, to accommodate the signals. Mr. Courduff expressed appreciation for Senator Mensch's assistance in this matter.

**Toll Gate Landing Trail-** Mr. Vey reported the Pennsylvania Highlands Trail Network committee has been studying a potential trail system to connect the trail along the Delaware River to the Perkiomen Trail in Green Lane. One of the potential links involves a section of trail through the open space owned by Tollgate Landing Home Owner's Association. The trail would be installed through grants. The HOA is concerned with maintenance of the trail. The HOA would like the respective townships, meaning Milford and Richland to maintain the section of trail within their township. Mr. Vey stated it might be a consideration if an easement is granted, and a simplified maintenance agreement is put in place. The

specifics of the trail are not known at this time. Mr. Vey stated he believes the trail will be paved. Mr. Vey stated he would like to see specifics before we obligate.

**1975 Trumbauersville Road Lease Agreement-** Mr. Vey presented the lease agreement for 1975 Trumbauersville Road. The tenant, Thomas & Boyds, Inc., operates a commercial flooring company and would like to enter into a long-term lease agreement with Milford Township.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-13**, Lease Agreement by and between Milford Township and Thomas & Boyds, Inc. for the property located at 1975 Trumbauersville Road, TMP# 23-020-058-001. Mr. Courduff seconded the motion. The motion passed unanimously.

**Kohler Zoning Change-** Mr. Vey reported he has been approached by the owner, Ms. Kohler, of a 14-acre parcel on Route 663 adjacent to the PC zoning district. The Planning Commission has reviewed the proposal at has stated they do not see a need for a change of zoning at this time. If the parcel is rezoned it is possible they will want to take immediate access to Route 663 as a single parcel. Mr. Courduff asked Mr. Vey if it is time to look at our Act 537 Plan and Comprehensive Plan. Mr. Vey stated he feels a review should be done in the near future. Mr. Vey asked what the general feeling on rezoning the Kohler tract was. Mr. Courduff inquired what the Planning Commission said. Mr. Vey said the Planning Commission feels a change in zoning would be premature at this time. Mr. Strunk stated he agrees and a change in zoning would premature at this time. A change in zoning would come with more infrastructure requirements. Mr. Mininger stated he agrees and foresees a lot of traffic conditions.

**Escrow Release:**

Mr. Strunk made a **MOTION** to approve the escrow release request in the amount of \$54,549.00 for the LifeQuest, Mill Hill Road East Extension project, for the property located on Route 663, TMP Nos. 23-015-115-004, 23-015-115-054, and 23-015-121. Mr. Mininger seconded the motion. The motion passed unanimously.

**Rotenberger Tract-** Mr. Vey reported a discussion was had regarding the township purchasing a portion of property located between Route 663 and Milford Square Pike, as open space. The concept was discussed at the Planning Commission meeting and it was stated that the Planning Commission does not see purchasing the land as open space. Mr. Strunk stated he would like to purchase the property using township funds. Mr. Vey stated the purchase would need to be looked into further.

**Public Comments:** Mrs. Ambron stated no public comment was received prior to the meeting.

**Adjournment:** Mr. Strunk announced the Board would meet in executive session to discuss potential litigation. Mr. Strunk made a **MOTION** to adjourned the July 6, 2021 Board of Supervisors meeting at 9:02 pm. Mr. Courduff seconded the motion.

## **Milford Township Board of Supervisors’ Meeting Minutes of August 3, 2021**

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The August 3, 2021 Milford Township Board of Supervisors Meeting was held as a hybrid meeting, in person and via Zoom Meeting.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary/Treasurer; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; and Nathan Cordero, Zoning Officer

**Call to Order:** Mr. Strunk called the meeting to order at 7:02 p.m.

**Approval of Minutes:** Mr. Courduff made a **MOTION** to approve the July 6, 2021 meeting minutes as presented. Mr. Mininger seconded the motion. The motion passed unanimously.

**Financial Reports:** Mr. Strunk made a **MOTION** to approve the Treasurer’s Report of June 2021 along with the bills listed dated August 3, 2021. Mr. Courduff seconded the motion. The motion passed unanimously.

**Announcements:** Mr. Cordero announced the Zoning Hearing Board is scheduled to meet on Tuesday, August 10, 2021 to hear the following applications; the continuation of QVC Realty for the property located at 2250 N. Old Bethlehem Pike in the RA Zoning District. Mr. Courduff asked Mr. Cordero for verification of the party involved with Quakertown Vet has gotten party status and obtained representation. Mr. Cordero stated that it is correct. Mr. Vey stated a meeting was had with the solicitor as well as Cowan and Associates, a main concern being stormwater. Mr. Vey stated he anticipates QVC to have representation to ensure any conditions are in order. Mr. Courduff asked Mr. Vey if Milford Township commissions Cowan and Associates for special projects in the township. Mr. Vey stated the township does utilize the services of Cowan and Associates specifically for the MS4 program. Mr. Vey stated QVC has commissioned Cowan and Associated for stormwater basin design.

The application of John Meyers for the property located at 2465 Mill Road, TMP# 23-025-062 in the SRL Zoning District. The Applicant seeks a variance from Section 404H3, to permit a 900 square foot accessory apartment where 650 square foot is permitted.

**Subdivision/Land Development:** Quaker Pointe Hotel, Land Development Plan, 1915 John Fries Highway, TMP# 23-010-021-001- Mr. Strunk announced the application of Quaker Pointe Hotel has been tabled. Mr. Strunk asked Mrs. Ambron if a time extension request has been received. Mrs. Ambron stated a time extension is in place through December 31, 2021.

**Correspondence:**

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger stated the obstruction removal on the west end of the runway is still on schedule for the fall. Painting was done on the runway and the taxiway. Mr. Vey stated he had a meeting with Paul Tollini to discuss the Bernabei property. Mr. Vey stated the township has no intention of removing the tenant from the property should the township move forward with the acquisition of the property.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey stated the minutes of the meeting of the Milford Township Water Authority of June 8, 2021 are available for review along with the annual Financial Statement. Mr. Vey reported the meeting minutes state that test holes have been done and Andersen Engineering has prepared a plan for the design of lower the water main. Mr. Vey stated he has a call in regarding the implication of the costing of the water main installation. Mr. Vey stated he does not have a bottom line figure at this time and anything with PennDOT would be a reimbursement.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey stated the minutes of the meeting of Milford Trumbauersville Area Sewer Authority of June 21, 2021 are available for review.



**Borough of Sellersville Request for Fire Police.** Mr. Vey reported a request for Fire Police assistance has been received from Sellersville Borough for the Sellersville Gallery of the Arts event, which is scheduled to take place on Sunday, September 19, 2021 from 7:00 a.m. to 7:00 p.m.

Mr. Strunk made a **MOTION** to approve the request from Sellersville Borough for Fire Police assistance for the Sellersville Borough Gallery of the Arts event on Sunday, September 19, 2021 from 7:00 a.m. to 7:00 pm. Mr. Mininger seconded the motion.

**Reports:**

**Code Enforcement:** Mr. Cordero presented the Code Enforcement Report for July 2021. A total of 31 permits were issued in July: 16 residential renovation, 6 residential accessory, 1 residential addition, 1 single family dwelling, 3 commercial, 1 institutional, and 3 zoning permits. A total of 19 Use & Occupancy permits were issued, 1 Zoning Hearing Board Application was received, and 6 fire inspections were performed.

**Public Works Departmental Reports:** Mr. Winkler presented the July 2021 Public Works Departmental Report. Mr. Winkler stated the Public Works Department started the Rosenberger Bridge project. E&S controls and limits of disturbance fencing were put into place and a cofferdam was installed. Installation of two runs of 38"x24" concrete pipe was installed and the old bridge was removed. The crew ran into some pretty hard rock, which slowed down the progress of excavation. Both sub footings have been poured and some of the R-5 rock for scour protection was installed. The precast footings will be delivered August 5<sup>th</sup> and the bridge will be delivered on August 23<sup>rd</sup>. The pickle ball nets have been installed at Unami Park and the court is now open for play.

**Awarding of 2021 Fuel Bid.** Mr. Winkler presented the Bucks County Consortium 2021 Fuel Bid Summary. Mr. Winkler stated Milford Townships bid was for 5,999 gallons or less. PAPCO, Inc. was the lowest bidder for both Ultra Low Sulfur Diesel Fuel at \$0.2307 per gallon, and Unleaded Regular at \$0.1813 per gallon.

Mr. Courduff made a **MOTION** to accept the Bucks County Consortium 2021 Fuel Bid awarding the bid to PAPCO Inc., with a cost of \$0.2307 per gallon for Ultra Low Sulfur Diesel and \$0.1813 for Unleaded Regular. Mr. Mininger seconded the motion. The motion passed unanimously.

**Awarding of Rosenberger Road Bridge Guiderail and Paving Bid.** Mr. Winkler presented the Board of Supervisors the results from the Rosenberger Road Bridge Guiderail/Installation Bid. Mr. Winkler stated the bid includes Structure Mounted Guiderail, Type 31-S Guiderail, and Terminal Section 6" Radius Element. Mr. Winkler stated two bids were received, one from Wm. Orr and Sons Inc. for a total bid price of \$43,800.00 and one from Minichi, Inc. with a total bid price of \$57,060.00. Mr. Winkler stated the main difference between the two bids was found in the Structure Mounted Guiderail.

Mr. Courduff made a **MOTION** to award the Guiderail Materials and Installation bid to Wm. Orr and Sons with a total bid amount of \$43,800.00. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Winkler presented the bid results for the Rosenberger Road Bridge Paving and Equipment Rental with Operator. Mr. Winkler reported one bid was received from Sacks & Sons Inc. with a total bid price of \$16,067.00. Mr. Mininger asked Mr. Winkler if \$16,000 sounded okay for paving. Mr. Winkler stated it does. Mr. Courduff asked Mrs. Harper if receiving and accepting one bid is satisfactory. Mrs. Harper stated it is okay to accept the bid but the township does have the choice to reject the submitted bid and rebid the project.

Mr. Courduff made a **MOTION** to award the Rosenberger Road Bridge Paving and Equipment Rental with Operator bid to Sacks & Sons Inc. with a total bid amount of \$16,067.00. Mr. Mininger seconded the motion. The motion passed unanimously.

**Agricultural Security Area.** Mr. Courduff stated the Ag Security Committee is moving forward on the September 18, 2021 community AG Daze event. Mr. Courduff applauded the committee for spending a lot of time and effort of the planning to pull the event together. The committee is short with a couple of items. Help will be needed at the food trailer

with serving and collecting money. The other issue being help is needed with sponsors. Mr. Courduff asked Mr. Vey to move forward with contacting our sponsors to ensure they have enough notice to participate, more specifically a health station from St. Luke's. Mr. Courduff stated the Committee would address any Covid-19 related issues should they come along. Mr. Vey stated there would be no face painting at the event this year. Mr. Courduff stated they would be looking into distancing during the hayride as well.

**Park Board.** Mr. Vey presented the Park Board Meeting Minutes of July 14, 2021. Mr. Vey stated the Park Board is looking at signage for trails and the condition of existing signs. The Park Board discussed volunteers to spruce up the disc golf course. The planting of American Chestnut trees was also discussed. The new pavilion for Unami Creek Park has been ordered and will be installed this fall.

**Milford Township Volunteer Fire Company Report.** Chief Butler reported a total of 24 incidents for July 2021. Chief Butler stated an engine would be sent to Belmont Hills to cover their station for eight hours while they deal with the loss of one of their Fire Fighters in the line of duty. Chief Butler stated the fire company has put together a committee for the LOSAP program. Mr. Courduff stated he would like to set up a meeting for either August 19<sup>th</sup> or the 26<sup>th</sup>. Chief Butler stated the portable radios have been received and are currently being programed by the county. Mr. Mininger asked of the status of the contribution of the radios from St. Luke's. Mr. Cordero stated he has spoken to Rob Martin and the radios are in process at this time.

#### **Managers Report:**

**ARP Funding.** Mr. Vey stated the first round of funding has been received from the American Rescue Plan. The funds received would reimburse our general fund's loss of revenue in its entirety.

**St. Luke's West Wing Start of Construction Request.** Nate Burns from Langan Engineering stated he has been in contact with Pete from Andersen Engineering along with Mr. Vey regarding a start of construction request. The approved land development plans are being finished up along with administrative items. Mr. Burns stated St. Luke's would like to start with construction activities as the administrative details with the township and water and sewer authorities are being completed. A quick summary of approvals was provided to the Board of Supervisors and most of the items are already out of date as things are moving quickly. Mr. Burns stated the Milford Village, Sixth Revised Master Plan has been circulating for signatures and will be coming to the Township for execution and recording shortly. Mr. Burns stated the plan should be ready for recording in the next two weeks. Mr. Courduff noted there has been no change to this item. Mr. Burns stated the technical review of the NPDES/E&S Permit has been completed and are currently awaiting administrative approval. Mr. Courduff stated there has been no change to this outstanding item. Mr. Burns noted Milford Township Water Authority is finalizing the technical review of water service plans. All items have been addressed and St. Luke's is in process of establishing a construction escrow and construction agreement. Milford Trumbauersville Area Sewer Authority is finalizing the technical review of the sewer service plan. All items have been addressed and St. Luke's is in process of establishing a construction escrow and construction agreement. Technical review has been completed with the Land Development Plan as well. All items from the Andersen Engineering review letter have been addressed and are now working through finalizing the letter of credit and Developers St. Luke's Agreement. Mr. Burns stated these activities would take a little while to coordinate. St. Luke's seeks approval to begin construction while these items are being finalized. Mr. Burns stated this is a common request and the same request was made with Phase I of the hospital in almost the exact same fashion. The intent would be to mobilize the contractor, establish soil erosion and sediment control measures, and start an import of soil onto the site to ensure the new building is level with the existing building. The only nuance in this request is a temporary escrow account will be established to cover legal and engineering costs. Mr. Courduff noted there has been no change to the five bullet points expressed in the July 29, 2021 letter. Mr. Burns stated there have been some changes. The water service and sanitary sewer service technical review has been completed. Mr. Courduff asked Mr. Burns if soil was brought in to elevate the site in Phase I. Mr. Burns said soil was not brought in during Phase I, however; construction started while the details were being worked on during the Land Development Agreement. The agreement was limited to E&S controls and earthwork activities. Mr. Courduff asked Mr. Andersen if he had any thoughts on the request. Mr. Andersen stated there are probably two months of work with the hauling of dirt and installing E&S controls, which cannot start until the permit is in place. Mr. Courduff asked if the township would be liable if a violation occurs and there is no approved NPDES permit in place. Mr. Burns stated he would like to clarify that no work would begin until the NPDES permit is in place. There are concerns with the NPDES permit being approved in the next two weeks, that St. Luke's would have to wait to attend the next Board of Supervisors meeting for approval to begin work. A stipulation of starting any earthwork would be to have the NPDES permit in place and a pre-construction

meeting had with Bucks County Conservation District and Andersen Engineering. Mr. Courduff asked Mr. Andersen what his thoughts were with allowing construction to begin. Mr. Andersen stated he doesn't think there is any harm in allowing construction to begin and recommends an agreement stating the rules of construction that are to be followed. Mr. Courduff stated he would like to see there being no liability or responsibility to the township. Mrs. Harper stated she would recommend the issuance of a grading permit or permission to do a certain amount of work. Mrs. Harper asked why the Sixth Master Plan is not signed and at the township for recording. Mr. Robert Martin stated there has been some difficulty obtaining signatures from all owners. Mr. Martin stated there is no intention of going vertical with the requested construction. Mr. Martin said he is also anxious to have the plan signed and recorded. Mrs. Harper stated if the board is inclined to move forward with approving an agreement, a description of the proposed work should be obtained from the engineers as well as noting the requirement that no work shall begin until an approved NPDES permit is obtained and an escrow put in place. Mr. Vey stated this type of request has been allowed in the past without problem. Mr. Vey asked Mr. Burns where the building permit is in process. Mr. Burns stated the permit is a little ways out and may be submitted late September early October. Mr. Vey asked about the installation of utilities. Mr. Burns stated he is unclear where water service agreement is in the schedule. The sewer connection was set up during phase I to be able to connect from the building into the driveway in front of it. Mr. Burns stated a discussion could be had prior to water installation. Mr. Burns stated there is no risk from the township standpoint the risk falls solely on St. Luke's. Mrs. Harper stated she disagrees. If the work is limited to earthwork and E&S control measures there is less of a risk to the township. Mr. Andersen stated he would go further and make note that no structures should be installed such as manholes, water mains, and fire hydrants. Mr. Burns stated the intent is not to go vertical. Mr. Martin stated he is in agreement with the terms discussed at this meeting. Mr. Vey asked Mr. Martin where they intend to obtain soil. Mr. Winkler stated he has had a discussion with the contractor regarding them obtaining the soil from the township. Mr. Strunk said he would like to see this move forward. Mr. Mininger and Mr. Courduff stated they agree. Mr. Courduff would like the agreement to be very protective of the township in regards to stormwater, contamination of the streams and such. Mrs. Harper stated she would work directly with Mr. Boell to create an agreement to include the items as discussed. Mr. Mininger offered a reminder that an FAA 7460 form should be filed as well, which involves the construction crane during the night time hours. The crane should be lighted or taken down once dark.

Mr. Strunk made a **MOTION** to approve the Early Start of Construction Request submitted by St. Luke's Upper Bucks, West Wing Expansion for the property located at 3000 St. Luke's Drive, TMP# 23-015-115-003 pending approval of the NPDES Permit. The work shall be limited to earthwork and the construction of soil erosion and sediment controls. Mr. Mininger seconded the motion and the motion passed unanimously.

**St. Luke's West Wing Sewage Facilities Planning Module.** Mr. Vey stated the submission of the planning module is a procedural item and St. Luke's has purchased the required EDU's.

Mr. Strunk made a **MOTION** to approve Resolution No. 2021-14, submission of the St. Luke's West Wing Planning Module. Mr. Courduff seconded the motion. The motion passed unanimously.

**Milford Trumbauersville Area Sewer Authority Sewage Capacity.** Mr. Vey stated the discussion of sewage capacity stems from the request LifeQuest submitted to the sewer authority, which lead to the possible rerating of the sewer plant. Mr. Vey asked Mr. Courduff what commitment the sewer authority has if there is a letter request that asks for the ability to serve with no monies posted. There are concerns with the magnitude of the request that sewer capacity would be tied up without the purchasing of EDU's. Mr. Courduff stated there are two letters, one is a confirmation that you will have the ability to serve a client and the second that has time and money involved is a reserve capacity agreement along with time limits, etc. Mr. Courduff stated as he recalls from years ago when he was Chairman on the Sewer Authority, Marlborough Township put an inquiry in to raise the receiving streams water quality up to exceptional value. As Chairman having many meetings with DEP the implications of the additional BOD, COD and nutrient loadings on Unami creek. At that time the MTASA spent over \$10,000 on a water quality study on the receiving stream, the Unami, and proceeded with the argument. To some extent the MTASA prevailed. It was dropped from exceptional value to a high quality-receiving stream. Mr. Courduff stated from that issue he is thinking many other issues would evolve that being what additional loadings DEP would permit. The plant was expanded to 1,000,000 gallons per day at that point in time along with many other things that lead up to one of the best operating wastewater treatment facility in Pennsylvania. Mr. Courduff stated he is still not certain that DEP would allow additional loadings on the high quality stream. Mr. Courduff recommends the MTASA approach DEP to ascertain whether or not there is any possibility of additional rerating of the plant. Mr.

Courduff further stated it makes no sense at this time to go into DEP and say our plant can handle 1,000,000 gallons per day and they should allow an additional 200,000 gallons when the engineer has not reviewed the numbers at this time. The original LifeQuest proposal included 135 town homes that are not included in the plans today. Mr. Strunk and Mr. Mininger stated they both agree. Mr. Strunk asked Mr. Vey to issue a letter to the Milford Trumbauersville Area Sewer Authority asking them to contact DEP for their thoughts on rerating the sewer plant. Mr. Courduff asked Mr. Andersen if he had any comments about the rerating. Mr. Andersen stated he feels starting off with an informal meeting would be beneficial. Mr. Courduff stated we just went through a major renovation to the Rosenberger Road Bridge and he cannot imagine how much it cost to go down into the rock due to the base of the bridge not being acceptable to Trout Unlimited who will also need be dealt with a high quality watershed that stock trout. Mr. Andersen stated it is prudent to take the first step in talking to DEP to rerate the plan. Mr. Courduff asked Mr. Winkler if the representative took any water temperatures or dissolved oxygen or the like taking place at the replacement site of the bridge. Mr. Strunk stated any fish caught in the riffle have been moved down stream. Mr. Strunk asked how Trout Unlimited got involved with the township putting a bridge in. Mr. Vey stated they were invited into the process in the program. It is not a regulatory presence, they do not enforce anything that was legislated they are there as a resource entity for the funding program.

Mr. Courduff asked Mr. Vey if any results have been received from the perk test that was completed on the Wonsidler Tractor tract.

**Public Comments:** Mrs. Ambron stated no public comment was received prior to the meeting.

**Adjournment:** Mr. Strunk announced the Board would meet in executive session to discuss personnel, real estate acquisition, and potential litigation. Mr. Strunk made a **MOTION** to adjourned the August 3, 2021 Board of Supervisors meeting at 8:02 pm. Mr. Courduff seconded the motion.

## Milford Township Board of Supervisors' Meeting Minutes of September 7, 2021

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The September 7, 2021 Milford Township Board of Supervisors Meeting was held as a hybrid meeting, in person and via Zoom Meeting.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary/Treasurer; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; and Nathan Cordero, Zoning Officer.

**Call to Order:** Mr. Strunk called the meeting to order at 7:00 p.m.

**Approval of Minutes:** Mr. Strunk made a **MOTION** to approve the August 3, 2021 meeting minutes with minor edits. Mr. Courduff seconded the motion. The motion passed unanimously.

**Financial Reports:** Mr. Strunk made a **MOTION** to approve the Treasurer's Report of July 2021 along with the bills list dated September 7, 2021. Mr. Courduff seconded the motion. The motion passed unanimously. Mrs. Ambron noted two new bank accounts were opened in August at Univest Bank. A checking account was opened for the Traffic Fund and a money market account was opened to hold the American Rescue Plan funds allocated to the township.

**Announcements:** Mr. Cordero announced the Zoning Hearing Board is scheduled to meet on Tuesday, September 14, 2021 to hear the application of DGPCEP, LLC (Vacubraze) for the property located at 2200 Kumry Road, TMP# 23-021-012-002, The Applicant seeks a variance from Section 505 of the Zoning Ordinance, to permit an addition to an existing manufacturing facility where buffer yard requirements cannot be met in accordance to Section 520 of the Subdivision and Land Development Ordinance. Mr. Vey stated he feels it very important that the township stress the need for stormwater management. Mr. Vey reported a very steep slope exists on the Allentown Road side of Vacubraze along with a very deep ditch heading north on Allentown Road. Mr. Vey stated Vacubraze should be coming in for Land Development approval. Mr. Courduff asked if the road is a state road therefore making the drainage up to PennDOT. Mr. Vey stated it is. Mr. Courduff stated the area has been on PennDOT's maintenance list for quite some time now. Mr. Mininger stated he visited the site with Mr. Vey and Mr. Andersen and the plan shows a slight increase in impervious surface is to be added, however; if the applicant presented a stormwater management plan for what is current and proposed it would be good thing.

### **Subdivision/Land Development:**

**Irick Lot Line Adjustment/Minor Subdivision Plan, Zachary & Colleen Irick, 2575 Keiser Road, TMP# 23-005-114.** Mr. Scott Mease of Mease Engineering was in attendance to present the proposed Lot Line Adjustment plan. Mr. Mease gave a brief summary of the proposal. The Applicant proposes to convey 1.171 acres from Jerry & Virginia Souder, 2565 Keiser Road, to Zachary & Colleen Irick, 2575 Keiser Road. The Keiser property would increase to 12.326 acres and the Souder property would decrease to 3.877 acres. An accessory storage building will be transferred to the Irick property as part of the lot line adjustment proposal. Mr. Strunk noted the Planning Commission made a recommendation that a condition of approval be that no animals be permitted to be kept in the storage building. Mr. Strunk asked what is currently being stored in the accessory building and what will be stored in the building in the future. Mr. Mease stated Mr. Souder is a builder and stores materials and equipment in the accessory building and that Mr. Irick is also a builder and will using the building in the same fashion. Mr. Courduff asked Mr. Mease if his client would be comfortable with the condition that the keeping of animals be prohibited in the accessory building. Mr. Mease stated his client is comfortable with the condition. Mrs. Harper stated a barn used for the keeping of animals currently exists on the Irick property and is not the accessory building being discussed at this time. Mrs. Harper stated as part of the condition of approval all nonconforming uses and structures must be registered with the township within 60-days.

Mr. Mininger asked Mr. Mease if his client was okay with dedication of the ultimate right-of-way. Mr. Mease stated the only clarification he requires is if the right-of-way is given as a fee simple dedication or as an easement. Mr. Andersen stated for years the township has received the right-of-way as fee simple. Mr. Courduff stated he is in favor of fee simple, Mr. Strunk agreed. Mr. Courduff stated the last item to discuss was the engineer's comments regarding an alternate septic site. Mr. Courduff stated at this time he would like to see it more so, that instead of an alternate system site being selected, that if and when there is further development, lot line changes, etc. that it be required at that time that an alternate site be required to which Mr. Mininger agreed. Mr. Courduff stated the plan presented at this time is a simple lot

line change with no proposed development. Mr. Courduff stated it appears to be a little onerous to select an alternate septic system site particularly so because the soils on site are limited and to do so does not provide anything for the township. Mr. Strunk stated the existing farmhouse does not have an alternate site. Mr. Courduff stated it does not and the house has been there forever. Mr. Strunk stated he would feel more comfortable requiring an alternate site as the farmhouse is an old house with an old system. Mrs. Harper stated a draft resolution has been provided for review prior to this meeting. Noted in the Resolution is the requirement for an alternate site to be provided. Mr. Courduff stated the Resolution would need to be revised or replaced with the requirement to provide an alternate site with any future subdivision land development proposals.

Mr. Courduff made a **MOTION** to approve **Resolution No. 2021-15** granting Preliminary/Final approval, along with approval of the waiver request letter dated August 4, 2021, for a Minor Lot Line change for the application of Zachary and Colleen Irick for the property located at 2575 Keiser Road, TMP# 23-005-114 with the following conditions: The plans must be revised to comply with the recommendations of the Andersen Engineering Associates, Inc. review letter dated August 18, 2021; Nonconforming structures and uses on the property shall be registered with the Milford Township Zoning Officer within 60 days; No animals will be kept in the 7,200 square foot building located within ten feet of the right-of-way of Keiser Road; Septic system replacement sites shall be provided when new construction or further subdivision occurs; The tree in the right-of-way of Keiser Road shall be cleared and the right-of-way shall be offered for dedication to Milford Township. Mr. Miner seconded the motion. The motion passed in a two to one vote with Mr. Strunk voting nay.

**QVC Realty Waiver of Land Development, 2250 N. Old Bethlehem Pike, TMP# 23-001-090.** Mrs. Harper stated QVC Realty has appeared before the Zoning Hearing Board for relocation of the existing kennel to a new 8,000 square foot building. An additional 2,000 square feet of building addition is proposed along with associated parking. Mrs. Harper stated she has prepared and distributed prior to the meeting a draft resolution for review. The Zoning Hearing Board had some conditions relating to stormwater management. The draft resolution waives land development with the following conditions: The plans must be revised to comply with any recommendations of Andersen Engineering Associates, Inc.; The Applicant must demonstrate compliance with the conditions of the Zoning Hearing Board Decision dated August 11, 2021; The Applicant must comply with any Stormwater Management Plan review comments issued by Andersen Engineering Associates and the Applicant agrees to post \$20,000 with the Township to secure completion of the stormwater management system; All required buffer plantings and landscaping must be provided, and, if required by the Township Engineer, secured with appropriate Financial Security. Mr. Strunk asked for comments. Mr. Courduff stated that Quakertown Vet is a great partner with their whole enterprise and including the roundabout. Mr. Courduff stated he is not concerned with the completion of stormwater as he feels Quakertown Vet will ensure compliance. Mr. Andersen stated the applicant has not only taken care of the managing the stormwater but is overcompensating.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2021-2016** granting a waiver of Land Development with conditions. Mr. Courduff seconded the motion. The motion passed unanimously.

#### **Other Business:**

**St. Luke's Upper Bucks Hospital West Wing Expansion Authorization to Commence Construction.** Mr. Courduff asked Mrs. Harper if an executed Sixth Revised Master Plan has been supplied at this time. Mrs. Harper stated she believed the plan was being circulated. Mrs. Harper noted the Board approved an early start of preliminary earth work at the last meeting. Mr. Courduff stated the approval for an early start was subject to. Mrs. Harper stated a letter of agreement along with a \$25,000 cash escrow for inspections with limitation on what work can be performed, which consists mainly of earth moving, was delivered to the Township for review and approval. Mr. Courduff asked if an NPDES Permit has been secured at this time. Mr. Andersen stated after speaking with Nate Burns the permit should be issued any day now. Mr. Courduff stated the same statement was made at the last meeting. Mr. Andersen stated DEP is incredibly slow as of late and the property is within a protected watershed. Mr. Andersen stated the permit should be issued within the next two weeks. Mr. Courduff stated he has concerns that with no approved permit if something should go amiss on-site, Milford Township would be on the hook. Mrs. Harper stated per the agreement no work shall commence prior to securing a permit from DEP. Mrs. Harper further stated St. Luke's is in the process of securing the required letters of credit. Mr. Andersen stated the only allowable work would be the bringing in of fill and installation of erosion control measures. Mr. Courduff stated at the last meeting we heard the Sixth Revised Master Plan was going to be executed, the NPDES permit secured, and conservation controls in place, then the township would sign the agreement. Mr. Courduff stated he has not heard of any of these outstanding issues have been completed. Mr. Andersen recommended approval of the Agreement contingent on approval of the NPDES permit. Mrs. Ambron reported the Sixth Revised Master Plan has

been recorded in the Bucks County Recorder of Deeds and the Township is currently waiting on an executed Land Development/Financial Security Agreement along with the posting of the required financial security. There was no further comment at this time.

Mr. Courduff made a **MOTION** to approve the St. Luke's Upper Bucks Hospital West Wing Expansion Authorization to Commence Construction Agreement prepared by FL&B. Mr. Strunk seconded the motion. The motion passed unanimously.

### **Correspondence:**

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported the Tree Obstruction Removal Project is scheduled to begin on Monday, September 13, 2021, which should still give the contractor enough time to begin the replanting this fall. Mr. Courduff stated as he understands it, meetings have been had onsite with concerned citizens and the citizens have been informed of everything that is going to happen onsite. Mr. Mininger stated as he is the Chairman of the Airport Authority, as well as a Township Supervisor, he has taken a step back from the project but that is his understanding. Mr. Courduff stated the Township Manager has met with residents onsite to describe why this project must occur and that the project is in accordance with FAA regulations. Mr. Vey stated he met on site with residents in conjunction with the engineer for the Airport Authority. Mr. Courduff stated there should not be any issues with removing these obstructions and/or the replanting that will occur, as the replanted vegetation will be such that not grow to the heights that will interfere with the regulations of the FAA. Mr. Vey stated that is correct. Mr. Courduff stated the township along with the Airport Authority has taken the necessary steps to inform the residents of the Tree Obstruction Project. Mr. Mininger stated this project is in compliance with the Township's Airport Hazard zoning ordinance which was required to be passed by the state. Mr. Vey noted should the Airport Authority not perform the tree removal it would then become the responsibility of the property owner. Mr. Mininger stated it would then fall upon the township to enforce the ordinance. Mr. Courduff noted he feels comfortable with the project at this point. Mr. Vey stated a conversation should be had with the closest property owner who was very cooperative when met with on site. Mr. Vey asked Mr. Winkler if he has spoken to Mr. Derek Batsics since the meeting as he had intentions to undertake a stormwater management project, connecting into the township basin that runs along the rear of his property. Mr. Winkler stated the property owner is not ready at this time. Mr. Vey stated a conversation should be had with what types of trees will be replanted behind Mr. Batsics property.

**Quakertown Area Planning Committee Meeting Minutes.** Mr. Courduff stated as it pertains to Milford Township, an overview of the Quakertown Vet Proposal was discussed at the July 13, 2021 QAPC meeting. No comment was made. The amendments to the Comprehensive Plan were forwarded to Milford Township's Planning Commission members for review. Mr. Courduff stated he has been in contact with Mrs. Ambron regarding comments. The comments should be forthcoming to the Board of Supervisors.

**Milford Township Water Authority Meeting Minutes.** Mr. Strunk stated the minutes of the meeting of the Milford Township Water Authority of July 13, 2021 are available for review.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Strunk stated the minutes of the meeting of Milford Trumbauersville Area Sewer Authority of July 19, 2021 are available for review.

**Trumbauersville Fire Company Financial Statement.** Mr. Strunk stated the Trumbauersville Fire Company 2020 Financial Statement is available for review.

### **Reports:**

**Code Enforcement.** Mr. Cordero presented the Code Enforcement Report for August 2021. A total of 16 permits were issued in August: 6 residential renovation, 2 residential accessory, 2 residential addition, 1 single family dwelling, 3 commercial, and 2 zoning permits. A total of 21 Use & Occupancy permits were issued, 1 Zoning Hearing Board Application was received, and 10 fire inspections were performed.

**Public Works Departmental Reports.** Mr. Winkler presented the August 2021 Public Works Departmental Report. Mr. Winkler stated the Public Works Department spent most of the month working on the Rosenberger Bridge project. L&L Construction delivered a 200-ton crane, which was used to place the precast footings, which were installed and set using 25 yards of concrete. L&L came back on the 25th with their 400-ton crane and set the bridge. The crew installed the riffles and backfilled under the bridge with R-5 riprap and removed the coffer dam. An inlet at Meadow Lane and Hillcrest Road was rebuilt. The crosswalk at Pfaff Elementary School was repainted and the times for the school lights

were reset. The crew spent 3 days cleaning up after the storm. Mr. Winkler stated he would like to thank Josh Mallery for the great job he has done as Emergency Management Coordinator. He kept in contact with any needs that came up throughout the storm and notified the crew of any damages. Mr. Winkler stated Mr. Mallery notified him that all rescue boats in the area were out making rescues and to not take any chances driving through high waters. Mr. Courduff stated he would like to take a moment to express how proud he is of Mr. Winkler and the Public Works crew. The installation of the Rosenberger Road Bridge was very impressive. Mr. Winkler stated the crew did a great job. Mr. Strunk asked if there was much road damage throughout the township following the storm. Mr. Winkler stated nothing to extensive and that Carvers Hill had some damage along with the Allentown Road Bridge and Upper Ridge Road Bridge. Mr. Courduff said as far as bridges in the township, Upper Ridge Road Bridge, Nursery Road Bridge, and Allentown Road Bridge, and Rosenberger Road Bridge are all closed at this time. Mr. Winkler stated that is correct. Mr. Mininger asked if there is an estimate on time for the Upper Ridge Road Bridge to be repaired as it looks like the road was damaged not the bridge? Mr. Winkler stated the stone under the roadway was washed away during the storm creating damage to the road leading up to the bridge. There has been no notification of the repair at this time. Mr. Vey asked Mr. Winkler his thoughts on the Weiss Road Bridge. Mr. Winkler said we should be looking at getting a design together for the replacement of the bridge. Mr. Winkler further stated the bridge may be needed to be raised two feet. Mr. Strunk stated the planning process for the replacement of the Weiss Road bridge should begin now. Mr. Courduff agreed. Mr. Vey said he will begin preliminary plan design with Mr. Andresen on the best way to approach the replacement.

**Agricultural Security Area.** Mr. Courduff stated plans are moving forward with AG Daze which is scheduled to take place September 18<sup>th</sup> from 11:00 a.m. to 4:00 p.m. Most of the signs have been placed throughout the township. Mr. Courduff stated he is hopeful there will be no further restrictions put in place due to COVID-19 and all current restrictions that are in place will be adhered to.

**Park Board.** Mr. Vey present the Park Board Meeting Minutes of August 10, 2021. Mr. Vey reported the Park Board discussed maintenance issues of existing park and trail signs throughout the Township. Mr. Vey stated the pickle ball courts are ready for play. The Park Board had a discussion regarding the possibility of gaining access to water and electric at the Unami Park pavilion. There was a discussion on the repurposing of the empty pad site from the old pavilion. It was suggested that hopscotch could be painted on the pad. Mr. Irick shared his drawings for a potential dog park. The Park Board was to walk the trails at the Kauffman Tract and view the possible parking area on the Bunn Tract. Due to the inclement weather this was postponed. There were concerns with the Airbnb on the Kaufman tract and conflicts with the trails and parking. Mr. Vey stated the driveway at the Bunn tract is still accessible and it would make sense to have a trail head on the Bunn side vs. the Kaufman side.

**Milford Township Volunteer Fire Company Report.** Joe Sink stated the fire company responded to multiple flood calls throughout the township and outside of the township. Mr. Sink stated the crew assisted with water rescue(s) where approximately 60 people pulled out of two apartment buildings in Sellersville. Mr. Sink stated multiple trips were made to those flood prone areas within the township and the roadways were barricaded off. Mr. Sink reported one of 75's utility trucks was damaged during the flood. The extent of the damage is being assessed. Hands on training was performed last month at the homes on Mill Hill Court. There is valuable information that is passed on when you are able to teach things that can't normally be taught without these homes such as fire behavior. The Bucks County Fire Fighter 2 Advanced Fire Academy will be held at the Milford Volunteer Fire Company Station. There are 30 some students registered. The MDT's are being ordered and should be installed by the end of the month. The 911 Memorial will be split between two crews this year, the tower truck and a crew will be in East Greenville and a crew will be at the Uninvest Bank on John Fries Highway. Mr. Mininger stated he would like to commend the whole company for doing a great job through the flood. Mr. Mininger stated he would like to commend Ottsville Fire Company for the water rescue at the Unami Creek. Mr. Mininger reported that Milford Township Volunteer Fire Company did receive the pledged funds from St. Luke's for the radios. The radios are in and are currently being programed.

**Trumbauersville Borough Volunteer Fire Company Report.** Mr. Strunk stated the Trumbauersville Borough Volunteer Fire Company written report is available for review. Mr. Courduff stated after review of the 2020 Financial Report it nice to see a fire company in a good financial position.

#### **Managers Report:**

**Revised Lease Agreement 1975 Trumbauersville Road.** Mrs. Harper stated the Lease Agreement for 1975 Trumbauersville Road has been revised to include a few minor changes. Mrs. Harper stated the township would not record a copy of the lease with the Bucks County Recorder of Deeds as requested. The lease has been revised to include a



termination date of June 30, 2050. Mr. Courduff inquired as to the length of the termination date. Mr. Mark Sommar stated his client, Thomas & Boyds Inc., would like to rent the space for a long period of time. The tenant will perform improvements to the building. The business has an independent contract with a lender that requires a lease with a lengthy term as part of the condition of financing. The lease becomes a yearly lease starting in the year 2031 and at this point the lease could be terminated if either party so wishes. Mrs. Harper stated the annual rent increase follows the Consumer Price Index. Mr. Courduff stated he was surprised at the length of the lease but sees no issues at this time. Mrs. Harper asked if the signed copies of the lease have been delivered to the Township Building. Mr. Sommers stated two executed copies of the lease have been delivered to the township along with the required security deposit. Mrs. Ambron confirmed receipt of the lease and security deposit.

Mr. Courduff made a **MOTION** to approve the Lease Agreement by and between Milford Township and Thomas & Boyds, Inc. for township owned property located at 1975 Trumbauersville Road, TMP# 020-058-001. Mr. Strunk seconded the motion. The motion passed unanimously.

**2022 Minimum Municipal Obligation:** Mrs. Ambron presented the Minimum Municipal Obligation (MMO) Worksheet for the Pension Plan for plan year 2022. The MMO budget amount, based on 1/1/2019 actuarial valuation is \$70,980, which will be reflected in the 2022 Budget.

Mr. Courduff made a **MOTION** to approve the Minimum Municipal Obligation Worksheet for the Milford Township Pension Plan for plan year 2022 in the amount of \$70,980. Mr. Strunk seconded the motion. The motion passed unanimously.

**LOSAP:** Mr. Courduff presented the draft Length of Service Award Program. Mr. Courduff thanked Chief Butler for appointing a LOSAP committee with the Chairman being Jim Chookagian. The committee met on August 19<sup>th</sup> to discuss the basic framework of the program. In attendance at the meeting was Mr. Keith Branstettler, of Glatfelter Insurance, the third party representative. Mr. Branstettler went through the entirety of how investments are handled and the related cost. Mr. Courduff stated as a follow up, Jim Chookagian and himself sat down following the meeting to try to nail down the specifics. One of the big issues is assigning points for particular services and offices and things like that. Mr. Courduff presented the Milford Township Volunteer Fire Company Length of Service Award Program basic framework. In order to attract new volunteers, to motivate volunteers to put in more active duty hours, to retain volunteers for a longer period of time, and to reward volunteers for their commitment to our community, the Milford Township Volunteer Fire Company #1 (MTVFC #1) will implement a Length of Service Award Program (LOSAP). The Length of Service Award Program shall be administered and operated by the MTVFC #1 Executive Board through the recommendations offered by the LOSAP Committee. The LOSAP Committee membership will be comprised of the Fire Company Assistant Chief, one Trustee, Vice President of the Relief Association, and two (2) members at large. Initially, the LOSAP Committee Members and Committee Chair shall be appointed by the Fire Chief. It will be the task of the LOSAP Committee to create a self-funded defined contribution retirement plan for volunteers. Initial funding for the "plan" in 2019, 2020, and 2021 has been appropriated by the Milford Township Board of Supervisors. The Milford Township Fire Company #1 may choose to add to the initial or future appropriations from Milford Township. Mr. Courduff stated part of the conversation pertaining to the relief fund, which has new parameters under Senate Rule No.6, is that relief funds can also be contributed to the plan. At this point in time with the expenses the relief fund is experiencing at the fire company, Mr. Courduff stated he does not see funds being readily available. Plan benefits will be available if and when funds are available. There is no guarantee that funds will be paid annually by Milford Township or the Milford Township Fire Company #1. The task of the Committee at this time is to select an outside Pension Fund Manager. Mr. Courduff stated there is a \$1,000 annual minimum fee to administer the fund and a \$25 per account fee, volunteers and administrators, the annual fee may be close to \$2,000. There is a point system in place in the Length of Service Award Program. The point system is based on longevity in the fire department, training, and position held. Mr. Courduff stated he is unsure at this time of the value of the offices of the administrative part of the fire department and how it should be awarded. One of the issues at hand is awarding points on a quarterly basis. Mr. Courduff stated he is leaning towards awarding points quarterly and an annual award as the dollar comes in at the end of the year. Mr. Courduff stated he is hopeful that the plan has been nailed down at this time. Mr. Courduff asked Mrs. Harper to research if the Township must pass an Ordinance or Resolution to move the plan forward. Mrs. Harper stated she would research the requirements and report back. The next step would be an opinion from the solicitor then offer to the Executive Board of the fire department who would then work with the LOSAP Committee and take the required steps for Glatfelter to administer the Pension Plan. Mr. Courduff stated at this point in time the township administrative staff, supervisors, and township solicitor should review and offer written comment.

**Faith Christian Emergency Operation Agreement:** Mr. Vey reported Faith Christian Academy has offered to serve as an emergency shelter for Milford Township. Mrs. Harper stated she has reviewed the agreement and feels it looks great from a township perspective. Mr. Vey stated FCA is ready to proceed at this time.

Mr. Courduff made a **MOTION** to approve the Emergency Operation Agreement by and between Milford Township and Faith Christian Academy. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Strunk stated a donation to the Upper Perk YMCA was discussed at last months meeting. It was stated the funds would be distributed out of the American Rescue Plan account.

Mr. Stunk made a **MOTION** to distribute a \$1,500 donation to the Upper Perk YMCA out of the American Rescue Plan account. Mr. Courduff seconded the motion. The motion passed unanimously.

**Escrow Release:**

Final Escrow Release Request in the amount of \$68.80 for Horizon Signs, 1520 Allentown Road, TMP# 23-021-045.

Mr. Courduff made a **MOTION** to approve the Final Escrow Release Request in the amount of \$68.80 to Horizon Signs closing out the escrow account. Mr. Strunk seconded the motion and the motion passed unanimously.

Final Escrow Release Request in the amount of \$496.63, Milford Village Mill Hill Road, 2460 John Fries Highway.

Mr. Courduff made a **MOTION** to approve the Final Escrow Release Request for Milford Village Mill Hill Road in the amount of \$496.63. Mr. Strunk seconded the motion and the motion passed unanimously.

**Public Comments:** Mrs. Ambron stated no public comment was received prior to the meeting. Mr. Courduff stated he would like to remind all that the Chairman and himself would be participating in the 911 ceremony being held at our American Legion Post. The ceremony will be held on Saturday, September 11<sup>th</sup> beginning at 11:00 a.m. All public is invited to attend.

**Adjournment:** Mr. Strunk made a **MOTION** to adjourn the September 7, 2021 Board of Supervisors meeting at 8:20 pm. Mr. Courduff seconded the motion.