

**Milford Township Board of Supervisors’  
Minutes of January 3, 2022 Re-Organizational Meeting**

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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.

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

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

**Resolution No. 2022-01, Appointments, Reappointments and Modifications of Appointments:**

Mr. Strunk presented the Board with the list of Appointments, Reappointments and Modifications of Appointments for 2022.

		<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 Univest	
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)	12/31/2025
Earned Income Tax Collector	Keystone Collections Group	
Local Tax Collector	Betsy Moyer (4-year Term)	12/31/2025
Independent Auditor	Styer Associates	
Zoning Hearing Board (3-Year Term)	Cameron Waite, Member	12/31/2023
	Christian Haberle, Member	12/31/2024
	William J. Buchanan, Member	12/31/2022
	Gregory Hobson, (Alternate)	12/31/2024
	Albert Haynes (Alternate)	12/31/2022
Zoning Hearing Board Solicitor	High Swartz LLP, Thomas E. Panzer, Esquire	

Mr. Courduff made a **MOTION** to approve **Resolution No. 2022-01**, Appointments, Reappointments and Modifications of Appointments. The motion was seconded by Mr. Strunk and passed unanimously.

**Resolution No. 2022-02, Establishing Earned Income Tax Rates for 2022:**

Mr. Strunk stated the earned income tax rate for 2022 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. 2022-02**, Establishing the Earned Income Tax Rates for 2022. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2022-03, Real Estate Tax:**

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. Strunk made a **MOTION** to approve **Resolution No. 2022-03**, Levying a Tax Upon Real Property. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2022-04, 2022 Fee Schedule for Services:**

Mr. Strunk made a **MOTION** to approve **Resolution No. 2022-04**, Fee Schedule for Service with no revisions. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2022-05, Street Light Assessment:**

Mr. Strunk stated the Street Light Assessment consists of 20 Street Lighting Districts with a total of 138 streetlights. The assessment ranges from \$18.00 to \$230.00 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. 2022-05**, Street Light Assessment. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Mininger was nominated by Mr. Strunk as the Voting Delegate for Milford Township at the 2022 PSATS Convention being held at Hershey Lodge on April 24 through April 27, 2022.

Mr. Strunk made a **MOTION** to nominate Mr. Mininger as the Voting Delegate of Milford Township at the 2022 PSATS Convention being held on April 24 through April 27, 2022. Mr. Courduff seconded the motion.

With there being no further business, Mr. Strunk adjourned the re-organizational meeting at 7:03 p.m.

**Milford Township Board of Supervisors’  
Minutes of January 3, 2022 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 7:03 p.m.

**Approval of Minutes:**

Mr. Courduff made a **MOTION** to approve the Board of Supervisors Meeting Minutes of December 7, 2021. 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 Treasurer’s Report of November 30, 2021. Mr. Courduff seconded the motion. The motion passed unanimously.

**Land Development:**

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

**Correspondence:**

**Bucks County Airport Authority.** Mr. Mininger presented the Bucks County Airport Authority November 10, 2021 Meeting Minutes. Mr. Mininger stated the obstruction removal on the west side of the airport is finished and turned out well. There is a project in process to upgrade and rebuild the existing terminal building. A 50/50 grant from PennDOT has been obtained. The initial plan has been scaled back. There will be more to follow. The footprint will not be changed.

**Quakertown Area Planning Committee.** Mr. Vey presented the QAPC Meeting Minutes of October 12, 2021. Discussed at the meeting was the Comprehensive Plan Amendment along with invoices for payment.

**Reports:**

**Code Enforcement.** Mr. Cordero presented the Code Enforcement Report for December 2021. A total of 12 permits were issued in December: 4 zoning permits, 1 single family dwelling, 3 residential renovation permits, 2 residential accessory permits, and 2 commercial permits. A total of 14 Use & Occupancy permits were issued and 1 fire inspections was performed.

**Public Works Department Reports.** Mr. Winkler presented the Public Works Departmental report for December 2021. Mr. Winkler stated the Public Work Department began the month planting chestnut trees at Unami Creek Park and finished the concrete work for the new pavilion, that is now complete except for wiring and tables. New trail signs were put up throughout the trail system. The crew performed some minor repairs to the basin on Hedgeline Drive and shoulder work on Weisel, Doerr and Old Woods Roads. Dave’s Services helped the crew remove large dead ash trees on Mill Road. The crew went out one time this month to salt roadways. Mr. Courduff stated the pavilion looks great and the crew did a great job. Mr. Courduff stated the cracks in the hockey rink are worse than he thought. Mr. Winkler stated some of the cracks were able to be repaired with cold patch. Mr. Winkler stated he is unsure how much use the hockey rink is being used. Mr. Courduff stated he does see people using the rink quite often. Mr. Winkler stated the cracks in the hockey rink will be repaired using cold patch.

**Park Board.** Mr. Vey presented the Park Board meeting minutes of December 8, 2021. Mr. Vey stated the Board reported trail head signs have been installed along with the disc golf signage at Unami Creek Park. The pavilion at Unami is close to completion, amps and additional concrete work will be done in the spring. The re-painting of the park entrance signs will be completed in the spring when the weather is nicer. The lower basketball net should be removed. Three American Chestnut trees have been planted at Unami Creek Park on the slope coming down from the old pavilion site. The Board will visit the Kaufman/Bunn tract in the spring along with the butterfly gardens. The splash pad project is on track for spring of 2022. The board discussed the need for additional parking. Fees were discussed for the new Unami Creek Park and it is recommended the fees mirror the small pavilion fees at Molasses Creek Park, \$35.00 for residents and \$50.00 for non-residents.

**Milford Fire Company Reports for December 2021.** Mr. Ryan Hunsicker presented the December Report. Mr. Hunsicker reported just over 300 calls were received for 2021. The Santa Run was a success with over 90 stops. The Officers for 2022 have been announced and there have been no changes to leadership, Keith Butler remains Chief, Ryan Hunsicker Deputy Chief, and Joe Sink remains Assistant Chief. Battalion Chiefs have been added which include, Chris Kletzing and Nathan Cordero and Lieutenants have moved to Captains, Tom Brun and Steve Muth, leaving the Lieutenant position vacant at this time. There are currently 5 students enrolled in EMT class and 2 in Fire Fighter 1 Class. Mr. Courduff has requested a list of Officers be forwarded to Milford Township.

**Other Business.** Mr. Strunk stated he has concerns regarding the limit on the bond is a little low. Mr. Courduff stated he agrees. Mr. Strunk stated he would like the limit increased. Mr. Courduff questioned if the Finance Officer should be bonded as well. Mr. Vey stated the \$2 million bond equates to \$1,250,000. Mr. Vey stated he has been removed from the majority of accounts at this time and agrees Nichole Mallery should be bonded at this time. Mr. Courduff asked Mr. Vey if he is an authorized signer of checks at this time. Mr. Vey stated he is not. Mr. Vey asked Mrs. Ambron what accounts he is still listed on. Mrs. Ambron stated Quakertown National Bank and the accounts held at TD Bank. Mr. Courduff asked if an auditor's opinion should be sought at this time. Mr. Vey asked if he should reach out to Styer for their opinion on removing himself and adding Nichole Mallery. Mr. Strunk stated yes, the opinion of the auditors should be obtained.

Mr. Courduff stated he would like a letter sent to Mrs. Janet Bonekemper, who has recently retired, for her years of service as an Elected Auditor for Milford Township.

#### **Manager Report:**

**Disc Golf.** Mr. Vey stated a request has been received from the PDGA, Professional Disc Golf Association, to host a one-day event, 15 people in the morning and 45 people in the afternoon. Mr. Vey reported Jon Roth and Bob Irick have been in the process of preparing up the disc golf course. Support from local businesses will be pursued to raise funds for improvements to the disc golf course, such as pavers for the tees to replace the existing slick rubber mats. The ask was for permission to host the event, and nothing will be needed from the township. A February 20, 2022 date has been requested. Mr. Courduff asked if insurance would be obtained. Mr. Vey stated he would advise that Milford Township must be named as an additional insured for the event if approved. Mr. Courduff stated he has no problems approving the event to which Mr. Strunk and Mr. Mininger agreed.

**Hazard Mitigation Plan.** Mr. Vey stated a Resolution for adoption of the Bucks County 2021 Hazard Mitigation Plan is being presented. The resolution was brought to the attention of the Township at the time of design of the proposed Gehman regional retention basin. Mr. Vey stated the Gehman family has recently and respectfully declined the installation of a basin on their property. The Hazard Mitigation Plan identifies different hazards throughout the township as well as an assessment of the vulnerabilities. Milford Township has numerous safeguards in place, such as a zoning ordinance a comprehensive plan, and so on. Mr. Vey stated he does not see a downside to adopting the Hazard Mitigation Plan. Adoption will allow Milford Township access to FEMA and FEMA funding.

Mr. Strunk made a **MOTION** to approve and adopt **Resolution No. 2022-06**, Bucks County 2021 Hazard Mitigation Plan. Mr. Mininger seconded the motion and the motion passed unanimously.

**Act 167.** Mr. Vey stated the Perkiomen Watershed Initiative has sent a form letter requesting Berks, Bucks, Lehigh, and Montgomery County to undertake plans to address stormwater issues, prepare stormwater plans that reduce stormwater runoff and associated pollution through Pennsylvania Act 167. Mr. Vey stated there were few items that should be addressed before proceeding. Mr. Vey recommends holding off on the Act 167 plan study at this time. Mr. Vey stated instead of looking at the entire Upper Perkiomen Watershed only, we may want to look at the Unami Watershed as well, which appears to be the missing link.

**Open Space Acquisition.** Mr. Vey stated if approved, previously adopted Resolution No. 2021-17 must be amended to reflect the purchase price of 2175 Allentown Road as \$190,000.00 not \$185,000.00. The slight price increase was determined following final negotiations. A settlement date had not been named at this time.

Mr. Courduff made a **MOTION** to adopt **Resolution No. 2022-07**, Authorizing the Acquisition of 2175 Allentown Road by Milford Township with a purchase price of \$190,000.00. Mr. Mininger seconded the motion, the motion passed unanimously.

**ARLE Grant.** Mr. Vey stated the application for the ARLE Grant for the left turning signal at Krammes Road, Spinnerstown Road, and Route 663 has not been selected for funding at this time.

**Wonsidler Farmhouse.** Mr. Vey stated he has had a discussion with Mr. Strunk regarding the restoration of the Wonsidler Farmhouse, 1975 Trumbauersville Road. Mr. Vey stated a permit for the on-lot septic system has been obtained at this time. Mr. Vey asked Mr. Winkler his thoughts on the commencement of construction. Mr. Winkler stated excavation could begin this year. Mr. Mininger asked if an estimate for the proposed 3-bedroom renovation has been obtained. Mr. Vey stated it has not. Mr. Vey stated the idea was to perform as much work utilizing in house labor as possible. Mr. Strunk stated Mr. Mininger is not thrilled with the renovation project moving forward Mr. Courduff stated he agrees. Mr. Courduff noted he has not seen any of the reports regarding the septic system and is unsure what type of system has been approved. Mr. Mininger stated he is not comfortable with the project moving forward without a general idea of the cost of the project. He does not want to lose the historic building and would like to do something to preserve the building. Mr. Strunk stated it is a good idea to know what we are getting into before we get started with the renovations. Mr. Vey stated a budget would be put together. Mr. Strunk asked Mr. Winkler if the attic windows have been repaired and are ready to be replaced. Mr. Winkler stated the windows have been repaired and will be put back in place to secure the house for the winter months.

**Escrow Release:**

Mr. Strunk made a **MOTION** to approve the escrow release request for LifeQuest Nursing Center for the Mill Hill Road East Extension and Dolores Drive Project located along John Fries Highway, in the amount of \$63,543.60. Mr. Courduff seconded the motion. The motion passed unanimously.

**Public Comment:**

No public comment was received

**Adjournment:**

Mr. Strunk announced the Board will meet in executive session to discuss potential litigation. With there being no further business Mr. Strunk made a **MOTION** to adjourn the January 3, 2022, regular meeting of the Milford Township Board of Supervisors at 7:35 p.m.

**Milford Township Board of Supervisors’  
Minutes of January 18, 2022 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; Nathan Cordero, Zoning Officer; and Christopher Kletzing, IT Manager.

Chairman Strunk called the Meeting of the Milford Township Board of Supervisors to order at 7:01 p.m. Mr. Strunk announced the Board will meet in executive session following the regular meeting to discuss personnel.

**Public Safety Study:** Mr. Leo Hannon stated he has been engaged by Milford Township to perform a feasibility study for possible police services moving into township in the future. Mr. Hannon thanked the Board for entrusting him with this important work. The study will include continuation with the current service with the Pennsylvania State Police, possible regionalization with other municipalities with contracted services, and the development with private security or policing services through some of the industrial areas as is done through hospitals, colleges, and universities. Mr. Mininger noted and the possibility of contracting through the State Police is an option as well. Mr. Courduff stated he has met with Mr. Hannon and spoken to Mr. Hannon many times and have had many conversations and he feels the document is well done and hopes Mr. Hannon feels comfortable with the agreement as well. Mr. Hannon stated he does and added this is very wise of the Supervisors to explore different options and make the decisions for their constituency based on the best and most current information before them. Mr. Hannon asked if there were any questions at this time. Mr. Courduff asked Mr. Hannon if he sees any significant changes to our little community in regard to the national philosophy of police enforcement or lack thereof going on over the six months or so. Mr. Hannon stated what he sees in his preliminary view of Milford Township is a rural sprawling agricultural community with blossoming industrial areas and expansion of infrastructural areas, such as the hospital and the further expansion of the hospital. He also sees a municipality that has a major thorough fare running directly through it with a direct line to major cities. Which makes it very attractive to draw people in who wish to have easy access to Philadelphia, Allentown and other cities. It is note worthy to say that in a grander scale violent crime appears to be on the rise, with that being said, Milford Township has some of the most preeminent law enforcement currently serving the township, the Pennsylvania State Police. He also knows that PSP is somewhat limited in their capabilities as well, they do not enforce municipal ordinances which can be a challenge. Mr. Hannon stated he does think it is forward thinking to be exploring possible options for police services within the township. Mr. Strunk stated with the easy access in and out of the Township, Route 663 and the Turnpike, criminals seem to be drawn to the area. Mr. Hannon stated this would be part of the examination of the individual needs of the township, looking at history trends in terms on crime and criminality, the types of crimes that have been responded to in the past. Mr. Courduff stated as mentioned previously, Milford has a relationship with the 3 police departments surrounding the township and an introductory meeting should be set up. Mr. Hannon stated it would be his pleasure to set up the meeting.

**Fireworks for Fire Company Carnival:** Mr. Strunk stated the Milford Township Fire Company has requested an increase in the donation amount for the annual firework show displayed at the carnival. The donation amount would increase from \$5,000 to \$7,000. Mr. Cordero stated the increase is requested due to the price increase in the fireworks.

Mr. Strunk made a **MOTION** to approve a donation to the Milford Township Volunteer Fire Company in the amount of \$7,000.00 for the firework display at the annual carnival. Mr. Courduff seconded the motion and the motion passed unanimously.

**Bucks County Opioid Settlement Agreement:** Mr. Strunk stated after review of the agreement he sees no downside on approving Milford Township’s participation. Mr. Strunk asked Mr. Vey if he had any input. Mr. Vey stated if there is lack of participation it would be an obstruction to Bucks County.

Mr. Strunk made a **MOTION**, seconded by Mr. Courduff, and passed unanimously, to approve the Bucks County Opioid Settlement Agreement.

**State Liquid Fuels:** Mrs. Ambron reported the MS-965 Actual Use Report of State Funds for the calendar year 2021 has been completed and is ready for submission to the State. The equipment balance carried forward to next year’s report totals \$120,323.45.

Mr. Mininger made a **MOTION** to approve submission of the MS-965 Actual Use Report of State Funds Report. Mr. Courduff seconded the motion.

**Invoices for Payment:** Following review of the bills list dated January 18, 2022, Mr. Strunk made a **MOTION** to approve the invoices for payment. Mr. Courduff seconded the motion. The motion passed unanimously.

**Portzer Road / Old Bethlehem Pike Roundabout:** Mr. Vey stated a request has been made from Urban Engineering requesting the contract expiration date for Engineering Agreement No. L00241, Part 2 be extended to September 30, 2022. The extension will allow the design team to complete the final design package and utility coordination.

Mr. Strunk made a **MOTION** to approve the request extending Engineering Agreement No. L00241, Part 2, to September 30, 2022. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Strunk stated he has secured four acts for the concert in the park series, including the Craig Thatcher band. The total cost to date is \$3,000. There are details that still need to be worked out at this time, such as a stage and possibly a food truck.

**Public Comment:**

Ms. Janya Awckland of Wieand Road stated she is in favor of streetlights on township roads.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the January 18, 2022, meeting of the Milford Township Board of Supervisors at 7:18 p.m.

**Milford Township Board of Supervisors’  
Minutes of February 1, 2022 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.

**Call to Order:** Chairman Strunk called the meeting of the Milford Township Board of Supervisors to order at 7:05 p.m.

**Approval of Minutes:**

Mr. Courduff made a **MOTION** to approve the Board of Supervisors Meeting Minutes of January 3, 2022 and January 18, 2022. 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 Treasurer’s Report of December, 2021. Mr. Mininger seconded the motion. The motion passed unanimously.

Mrs. Ambron seeks approval to update the signers on bank accounts held at Quakertown National Bank and PLGIT. The update includes naming Mrs. Ambron and Mrs. Nichole Mallery as signers on the account and removing Mr. Vey. Mr. Strunk made a **MOTION** to approve the signers of accounts to Mrs. Ambron and Mrs. Mallery and removing Mr. Vey for the accounts held at Quakertown National Bank and PLGIT. Mr. Mininger seconded the motion. The motion passed unanimously.

Mrs. Ambron presented the Milford Fire Company, Trumbauersville Fire Company, Richland Fire Company and Senior Center Annual Contribution disbursement schedule for 2022. Mr. Strunk made a **MOTION** to approve the disbursement schedule as presented. Mr. Courduff seconded the motion and the motion passed unanimously.

**Land Development:**

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

**Other Business:**

Addition to Agricultural Security Area. Mr. Vey stated an application of inclusion to the Agricultural Security Area has been received from Mr. Gary Bender for the property located at 1500 Sleepy Hollow Road. The Bender tract totals 17.6 acres. The Agricultural Security Committee reviewed the application at the meeting of January 19, 2022. The Committee recommends the parcel be entered into the Agricultural Security Area. The Committee made comment that there is a substantial riparian corridor through the property and protecting this would go a long way in maintaining water quality. The Bucks County Planning Commission reviewed the application and recommended the parcel be included in the Agricultural Security Area given there are class 2 and 3 soils present on the property.

Mr. Strunk made a **MOTION** to approve the Proposal for the Creation or Modification of an Agricultural Security Area application submitted by Mr. Gary Bender for the property located at 1500 Sleepy Hollow Road, TMP #23-001-075. Mr. Courduff seconded the motion. The motion passed unanimously.

**Correspondence:**

**Bucks County Airport Authority.** Mr. Mininger reported the terminal building is still pending for an upgrade at this time. There will be no change to the existing footprint. Multiple grant applications have been submitted to add hangers. There is no prediction on what the outcome will be. Mr. Strunk asked if there are potential renters. Mr. Mininger stated yes and the current wait list is roughly three to six months at this time.

**Quakertown Area Planning Committee.** Mr. Vey reported the Quakertown Area Planning Committee reviewed the Comprehensive Plan Amendment. A guest speaker was present to discuss the latest plans for the Liberty Bell Trail. The Committee discussed the status of trail projects in the area. The Upper Bucks County Public Transportation Feasibility Study was discussed. The annual transportation project rankings should be released in the near future.

**Plumstead Township Fire Police Assistance Request.** Fire Police assistance has been requested from Plumstead Township for the annual Blaze of Glory 5k Run on Saturday, March 26, 2022.

Mr. Mininger made a **MOTION** to approve the request for Fire Police Assistance. The motion was seconded by Mr. Courduff and passed unanimously.

**Milford Trumbauersville Area Sewer Authority.** Mr. Harry Koenig from the Milford Trumbauersville Area Sewer Authority thanked the Board for allowing him a few minutes to provide an update on the current happenings of the Sewer Authority. Mr. Koenig gave an update on the I & I study. The sewer authority is under a current Corrective Action Plan with DEP for future development. Several thousand feet of easement has been cleared, two-hundred thousand feet of line has been televised to date, and

Several flow meters have been installed. The Authority now suspects some real inflow coming out of several subdivisions, which is why they are trying to promote downspouts and sump pumps are being entered into the sanitary sewer system. The proposed ordinance would not be the cure of the issue but would be helpful in aiding what is being seen with the flow meters and the elevating of the lines. No breaks in the sanitary sewer lines have been discovered. The affected subdivisions are newer. The homeowners may not be aware of where the lines are discharging. Mr. Koenig asked if the board had an update on where the proposed ordinance stands. Mr. Strunk asked Mr. Koenig what is needed from the Board. Mr. Koenig said he is looking for an update at this time. Mr. Koenig stated he would like to get a procedure in place where if a problem is found it can be corrected through an enforcement to make the action happen, disconnection of sump pump for example. Mr. Mininger asked Mr. Koenig if he thinks most of the problems are from sump pumps. Mr. Koenig stated not most of the problem, the areas identified over the last 10 years, have shown that in at least 2 subdivisions there has been a great spike happening during rain events. The Authority has elevated these lines during rain events and can see discharges coming out of laterals. Mr. Koenig stated they are trying to take the discharging of sump pumps out of the equation so they can move forward. Mr. Koenig stated in looking at the township ordinance, there isn't an ordinance in place to mandate a resident to disconnect. Mr. Courduff stated when the sewer authority was formed the grants and funding required all extraneous water be kept out of the system. Mr. Courduff said he thought the Sewer Authority was pretty diligent in sump pumps, cross connections and the like. Mr. Courduff stated he thought inspections from the main to the house were turned over to the sewer authority. Mr. Koenig stated that is correct, that does fall under the Sewer Authority's jurisdiction. Mr. Courduff asked Mr. Koenig if under the sewer regulations in place and signed by the customer it is stated they will adhere to the regulations of the Sewer Authority and that the Authority does not have the right to go in and inspect for a sump pumps. Mr. Koenig stated that is correct and the resident could deny the Authority entry to the house. Mr. Courduff replied they could deny Mr. Cordero entry as well. Mr. Koenig stated with an ordinance in place, it may help cure the problem. Mr. Courduff stated the last proposed ordinance had Milford Township doing video of the sewer line. Mr. Koenig stated the last proposed ordinance required inspection of sump pump hook ups during a Use & Occupancy inspection. Mr. Courduff said what he sees from his conversations with Nate, is some administrative details and the like, who will do what, we do not have the expertise to read a video tape of a sewer lateral. Mr. Koenig stated they are not requesting the township to perform video of the sewer laterals more the hook up of sump pumps. Mr. Courduff stated he thinks the simplest thing is to investigate at the of a Use & Occupancy inspection which is done at the time of the sale of a house. Mr. Koenig said he has seen issues with the old iron pipes starting to fail which is found when the line is videoed. The older home seems to have curb traps which makes it difficult to video. Mr. Koenig stated they are just trying to move forward. He further stated he has a mailing prepared that he will share with Board. Mr. Courduff suggested Mr. Cordero and Mr. Koenig put together a basic sample ordinance to review. Mrs. Harper stated she has seen two types of ordinances that address the issue. One prohibits sump pumps connection to the sanitary sewer line and proposes a fine. The second is a do on sale clause. The inspection of the sump pump would need to be added to the regulations found in the Use & Occupancy Ordinance. Mr. Cordero stated both ordinances have been written up by the Sewer Authority Solicitor and he will forward to Mrs. Harper for review.

### **Reports:**

**Code Enforcement.** Mr. Cordero presented the Code Enforcement Report for January 2022. A total of 13 permits were issued in January: 1 zoning permit, 8 residential renovation permits, 3 residential accessory permits, and 1 institutional permit. A total of 10 Use & Occupancy permits were issued and 10 fire inspections were performed.

Mr. Cordero stated he has received a request from Bethel Baptist Church to rent the large and small pavilion at Molasses Creek Park to hold an outdoor church service July 31, 2022 and August 7, 2022 from 8:00 a.m. to 2:00 p.m. The rear parking lot of the township building will be utilized for parking with a shuttle service to the park which will help eliminate the number of patrons crossing the road. A speaker system will be used at a low volume. Mr. Cordero stated a certificate of insurance has been provided naming the township as additional insured. Mr. Strunk stated the service in the park worked well last year without any issues. Mr. Mininger stated he does not see an issue allowing the rental of the pavilions.

**Public Works Department Reports.** The Public Works Department completed the lunchroom addition and attended a flagging seminar at Richland Township. We installed silt sock at the construction entrance on Rosenberger Road and topsoil was brought in from the ARCO site. A total of 5,300 cubic yards of topsoil was received. The crew has been out patching potholes and making necessary sign repairs. We went out to salt nine times and plowed twice this month. Mr. Courduff asked Mr. Winkler if the residents were informed of the landscape berm. Mr. Courduff stated it is his understanding that Mr. Winkler and Mr. Vey were to meet with the residents to explain the project. Mr. Winkler stated he did not speak with anyone. Mr. Vey stated he spoke with Jim Chookagian and Alan Haynes and they are aware of the project. Mr. Chookagian, as president of the HOA, would speak to the other property owners as well. Mr. Courduff asked Mr. Winkler the status of construction of the berm. Mr. Winkler said the project is at a standstill and we will not be receiving any more topsoil.

**AG Security.** Mr. Vey presented the minutes of the Agricultural Security Area Advisory Committee of January 19, 2022. The committee discussed the six parcels that available for lease. The Committees overall orientation is to establish leases by January 2023 which will allow farms adequate time to order their seeds/supplies prior to planting season. Mr. Vey further reported a discussion was had regarding new land that comes on board and how to handle as a lease to farmers. The Committee welcomed newly appointed member, Mr. Wendell Gehman. The Committee also approved a recommendation to the Milford Township Board

of Supervisors to allow 1500 Sleepy Hollow Road, TMP 23-001-075 to join the Agricultural Security Area. Mr. Courduff told Mr. Winkler there was discussion about field tiles at the Heimbach property that are washing out. He does not know when they were put in and is unsure what is causing it. Mr. Winkler stated some of the problem is related to the swales located on the property. The farmers kept farming closer and closer to the swale which caused the swales to be filled in over the years. Mr. Winkler stated he thinks some of the issue could be corrected by the farmer with little impact to them. Mr. Vey stated a member of Conservation District has been out to visit the site. It was stated an option may be a series of settling ponds, which is regulatory. Mr. Vey stated he hopes to have staff out again to revisit the issue. Mr. Courduff stated the Heimbach farm is a farm they were looking to lease with the present issues on the property he does not see how a lease could be negotiated at this time. Mr. Strunk stated the other option is to not farm the property. Mr. Courduff stated a member of the Committee has reached out to someone who may be able to restore the property and will get back to the Committee.

**Milford Fire Company Reports for January 2022.** Chief Butler reported a total of 18 calls were received in January. There are currently 5 members of the Fire Company who are going for their EMT this year. The Fire Company is in the process QRS Certification renewed with the County and State. A discussion will be had with the county to add the Engine for dispatch to cardiac arrest call outs. Mr. Courduff stated the Township's Secretary Treasurer, Mrs. Ambron, has sent a request to get a final copy of the OSAP Agreement. Chief Butler stated he would look into the status and report back.

**Trumbauersville Fire Company Report.** Mr. Strunk stated the Trumbauersville Fire Company Report of December 2021 is available for review.

**Manager Report:**

**Elected Auditor Meeting Minutes.** Mr. Vey reported the meeting of the elected auditors of Milford Township was held on Tuesday, January 4, 2022. The hourly compensation rate for any elected official employed by the Township has been set at \$24.25 per hour representing a 2% increase. The minutes should also reflect that Gary Bender was elected as Chairman.

**Authorization to Execute 3<sup>rd</sup> Party Agreement.** Mr. Cordero stated our current contract with Barry Isett & Associates is expired and we are currently working on a month-to-month basis. There are no change in fees presented. Mr. Cordero stated he is seeking authorization to execute the agreement at this time. Mr. Courduff asked Mr. Cordero if he is happy with the service we are being provided. Mr. Cordero stated he is.

Mr. Courduff made a **MOTION** authorizing Mr. Cordero approval to execute the Barry Isett & Associates Third Party Agreement. Mr. Mininger seconded the motion. The motion passed unanimously.

**Clover Mill Street Light Conversion.** Mr. Kletzing stated following concerns from a resident regarding streetlights in Clover Mill, PPL performed an inspection of the lights and poles. The poles were found to be structurally sound with no concerns. Mr. Kletzing received an estimate from PPL to convert the existing streetlights to LED lights. This conversion would incur an additional cost of \$1.75 per year per household for the conversion. Mr. Kletzing asked for authorization to proceed with the conversion of 10 existing streetlights in Clover Mill to LED.

Mr. Courduff made MOTION to approve **Resolution No. 2022-08**, The Furnishing of Electric Street Lighting Service by PPL Electric Utilities Corporation to Milford Township along with authorization to proceed with the conversion of ten existing streetlights located at Clover Mill to LED. Mr. Mininger seconded the motion and the motion passed unanimously.

**885 Trumbauersville Road Lease Agreement.** Mr. Vey stated Mr. John Pogas of Monster Tree is retiring and is passing on the business to another individual who has asked the township to execute a Landlord Agreement, which basically states we subordinate our interest in the collateral to the lending institution. Mr. Vey recommends Mrs. Harper review the agreement. Mr. Vey suggest it be noted that prior to entry into the building that the township be notified. Mr. Vey asked if there is timing for execution of the lease. Mr. Chris Olsen stated his goal is to execute the lease with a March 1, 2022 move in date. Mr. Vey asked Mr. Olsen if this is a takeover of the existing lease. Mr. Olsen stated it is, he would like to keep the same terms in place. Mr. Vey suggested Mrs. Harper review the Lease Agreement along with the Landlord Agreement prior to execution.

Mr. Courduff made a **MOTION** to approve execution of the Landlord Agreement subject to the Solicitors review. Mr. Mininger seconded the motion. The motion passed unanimously.

**Public Comment:**

Mr. Hal Schirmer, newly elected Board of Supervisor member of West Rock Hill Township, was in attendance to introduce himself to the Board.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the February 1, 2022, regular meeting of the Milford Township Board of Supervisors at 7:57 p.m.

**Milford Township Board of Supervisors’  
Minutes of March 1, 2022 Meeting**

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**Attendance:**

Supervisors present: Charles Strunk, Chair; 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.

**Call to Order:** Chairman Strunk called the meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

**Approval of Minutes:**

Mr. Strunk made a **MOTION** to approve the Board of Supervisors Meeting Minutes of February 1, 2022. 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 Treasurer’s Report of January 2022. Mr. Mininger seconded the motion. The motion passed unanimously.

**Land Development:**

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

**Faith Christian Academy, Preliminary/Final Plan of Land Development, 2255 Allentown Road, TMP# 23-010-112-001.** Mr. Scott Mease of Mease Engineering presented the Preliminary/Final Plan of Land Development on behalf of Faith Christian Academy. Mr. Mease gave a brief overview of the proposal. Approximately one year ago the Applicant submitted Land Development Plans for an artificial turf soccer field, identified as Phase 1 on the current plan. The Applicant now wishes to proceed to Phase 2 which includes the renovation of the existing athletic fields which would include, re-grading the existing football field and softball field, spin the softball field 90 degrees, install bleachers, a snack stand, lighting, and an indoor batting cage. Mr. Andersen addressed the Andersen Engineering review letter dated February 11, 2022. Mr. Andersen stated the property is located in the RA Zoning District and a school is a permitted use in this district. The applicant is proposing an impervious percentage of 18% where 40% is permitted. The proposal includes the installation of overhead lighting for the artificial turf soccer field. The poles for the lights will be 70 feet tall. Section 529 of the Zoning Ordinance allows the light poles if they are located at least 105 feet from the closest property line. The closest property line is approximately 350 feet. Light glare is prohibited beyond the lot line. The applicant has submitted information regarding the light intensity at the boundary of the soccer field. Mr. Andersen stated a request has been made for the light intensity data at the tract property lines. Mr. Mease stated the Applicant has filed the appropriate forms with the ZAA for the installation of the proposed light poles but feels it was unnecessary as the height of the proposed lights is 70 feet and an application is required if the height is 100 feet or higher. Mr. Andersen stated Mease Engineering provided calculations that assumed the pre-development conditions prior to Phase 1 and Phase 2. The post development conditions included all the proposed improvements shown on the plan. The design calculations demonstrate compliance with the Township’s stormwater ordinance. Faith Christian has obtained an NPDES permit for Phase 1 which will also cover Phase 2. Mr. Andersen stated the plan proposes the dedication of the ultimate right-of-way of Allentown and Breisch Road and he defers to the Township regarding the right-of-way of Breisch Road. Mr. Strunk stated he saw no need to accept the right-of-way of Breisch Road, Mr. Mininger agreed. Mr. Andersen asked if there was consideration given to vacating Breisch Road as it does not go anywhere. Mr. Strunk stated the roadway does lead back to township owned open space. Mr. Strunk stated the Township will accept dedication of Allentown Road.

Mr. Strunk made a **MOTION** to approve the Faith Christian Academy Preliminary/Final Plan of Land Development for the property located at 2255 Allentown Road, TMP# 23-010-112-001 with the following conditions: Compliance with the Andersen Engineering review letter dated February 11, 2022, Dedication of the ultimate right-of-way of Allentown Road, Submission of lighting calculations to be reviewed and approved by the Township Engineer. Mr. Mininger seconded the motion and the motion passed unanimously.

**Mood, Waiver of Land Development, John Fries Highway, TMP# 23-010-100-001.** Thomas, Katie and Matthew Mood were in attendance to present the proposed waiver of land development request. The Applicant proposes to construct a building for agricultural storage and retail of their agricultural products. The building would replace the existing removable structures found on the property. The addition of a permanent structure would provide a more appealing appearance. Windy Spring Farms has operated a farm stand at the current location since the 1960’s. Mr. Strunk reported the 2018 Subdivision from the Gambone property, an agreement was made to remove the farm stand from Route 663. Mr. Strunk stated he feels that is a binding agreement and would like the Township Solicitor to review the agreement. Thomas Mood stated when the 2-acre lot was purchased from Gambone, it was unsure at that time if the front property would be able to be purchased. The Moods now own the lot where the current farm stand exists and would like to keep the location due to the visibility factor. Mr. Strunk stated the reason the condition on the agreement was made was due to the properties direct access onto Route 663 and the turning motions, left turn in and out, are dangerous. Mrs. Harper stated she would review the conditions of approval. Mrs. Harper asked if there were any other conditions that may be triggered by the request. Matt Mood stated the formal agreement notes if building is proposed on lot 1, there is no building proposed

on lot 1. The Moods have been issued a Highway Occupancy Permit from PennDOT which shows there are no requirements regarding left hand turns. Mr. Strunk stated the permit was issued by PennDOT, not the township. Katie Mood stated circumstances have changed. The Moods now own the parcel where the roadside stand is located along with the adjoining parcel. The property has historically been used for agricultural purposes and is intended to be used as such in the future. Katie Mood stated they are seeking approval to replace the non-permanent structures with one permanent structure which would elevate stresses on the property as well as provide a more appropriate storage facility to store the products all with an end goal of retail to the community. Mr. Strunk states he understands and appreciates that, however; there is an agreement in place that would need to be changed, if the Board agrees to do so, releasing them from the condition. Katie Mood stated she thinks the change would reflect them now owning the property where the farm stand is currently. Mr. Strunk noted there is a lot of business done on the property and safety is a concern. Mrs. Harper will review the agreement and advise. Mr. Mininger stated he doesn't necessarily want to see the applicant have to go through a full land development, however; we do need more clarification on the agreement. Mrs. Harper stated Land Development Agreements run with the land. Mrs. Harper requested the PennDOT Highway Occupancy Permit be submitted to the township for review. Mr. Strunk stated the Land Development Agreement and PennDOT Highway Occupancy would be reviewed and the request rescheduled to the April 5, 2022 Board of Supervisors meeting. Thomas Mood stated they have also discussed installing a lane to take the traffic exiting the property to Weiss Road. Mr. Strunk stated the issue there is concern about is allowing traffic to make a left into the property and a left out of the property. Thomas Mood stated PennDOT had noted prohibiting traffic from making a left in/out of the property was not warranted. There was no further discussion at this time.

**Vacu Braze, Inc., Waiver of Land Development, 2200 Kumry Road, TMP# 23-021-12-002.** Mr. Gavin Laboski was in attendance to present the proposal on behalf of the applicant. Mr. Laboski stated the applicant seeks approval to construct a 16,747 square foot addition to the existing manufacturing building located on Kumry road. Vacu Braze has received a variance from buffer requirements from the Zoning Hearing Board. The plan was before the Board of Supervisors in October of 2021 where several issues were raised. The plans have been revised to address these issues. Mr. Laboski stated the plan had a favorable review from the Planning Commission. Mr. Scott McMackin, project engineer, discussed comments found on the Andersen Engineer review letter. Mr. McMackin stated the comments were mainly regarding stormwater, water service, and sprinkler service. In regard to the stormwater, the main concern was with the site running from front to back with Allentown Road. Even with no increase in impervious surface there was a desire to improve the stormwater management facility. The applicant proposes to install a Mr. trench that will run along the rear of the existing parking lot. The facility was designed as a hybrid type of system, stone in the sub surface with a small berm above ground. The smaller storms will get into the stone and infiltrate, the larger storms will pond then slowly infiltrate. The plan now proposes 360-degree access around the building as discussed at the prior meeting along with a 2,500 square foot area of grass pavers. An analysis of the building was performed, and it was found that sprinklers are not required. Mr. McMackin stated the Planning Commission did make a recommendation of the approval of the waiver with the understanding that a Grading and Stormwater Management plan be submitted for review and approval and dedication of additional right-of-way be offered to the Township. Mr. Strunk said a discussion was had previously regarding tying into public water system and noted the Planning Commission didn't find it looked up to public water necessary at this time. Mr. McMackin stated the main purpose of tying into public water was for the installation of a sprinkler system. Since it was determined a sprinkler system was not needed tying into the public water system was not needed at this time. The site is currently on a well and the current proposal does not create additional use of water. Mr. Strunk stated he would like the well tested for potable water. Mr. McMackin stated they will have the water tested. Mr. Strunk asked Mr. Andersen if he had anything to add. Mr. Andersen stated the plan meets the suggestions from the October 2021 review letter and found his review to be favorable. Mrs. Harper stated in the review letter dated February 22, 2022, it is noted that there is a comment listed regarding the dedication of Allentown Road. Mrs. Harper asked Mr. Laboski what the status of the dedication of Allentown Road was. Mr. Strunk stated the township generally takes right-of-way when available. Mr. McMackin stated he does not see a concern with dedication of the ultimate right-of-way of Kumry and Allentown Road. Mr. McMackin noted a waiver was noted on the requirement for road widening and the installation of curbs and sidewalks. Mr. Strunk stated he does not see the need for road widening or the installation of curbs and sidewalks as they are not present in the area.

Mr. Strunk made a **MOTION** to grant the Waiver of Land Development request, along with the requested waiver of road widening, curbs and sidewalks, with the following conditions: Compliance with the Andersen Engineering Review Letter dated February 22, 2022, Water quality test be performed to ensure potability. Dedication of the ultimate right-of-way of both Allentown Road and Kumry Road. Mr. Mininger seconded the motion. The motion passed unanimously.

### **Other Business:**

**St. Luke's Quakertown Hospital Escrow Agreement, Future Traffic Escrow, Future Signal Maintenance Escrow.** Mr. Vey reported there are three existing escrow accounts established for St. Luke's Hospital, Hospital, West Wing Expansion, and West Wing Early Construction. All billing is currently going against the West Wing escrow account. The agreement is fine as written, and the simplest way is to release the current escrows from the Hospital and Early Construction accounts and create one escrow account for the project. A letter should be submitted requesting the transfer of the escrows to the single account. Mr. Vey stated the other item that has come up is in regard to the multiple letters of credit. Each letter of credit should be reviewed to ensure it is still current and has not expired. Mr. Steve Boell of St. Luke's Hospital stated St. Luke's will supply whatever documentation is needed to condense the current escrow accounts. A formal request letter from Mr. Boell will be submitted naming each letter of credit and

he status of each. Mrs. Harper stated proper documentation should be submitted requesting any escrow releases that will be requested.

Mr. Strunk made a **MOTION** to approve the Escrow for Engineering, Legal and Other Fees in Connection with St. Luke's West Wing Expansion Land Development Agreement. The motion was seconded by Mr. Mininger and passed unanimously.

**St. Luke's West Wing Expansion Transformer.** Mr. Steve Boell and Mr. Nate Burns were in attendance to discuss the right-of-way. Mr. Boell stated as part of the Conditional Use approval Mill Hill Road is to be dedicated to the Township as a public right of way. There is an underground PPL transformer located within the right-of-way of Mill Hill Road and it is not unusual for these types of facilities to be located within the right-of-way. Mr. Boell stated Mrs. Harper has raised a valid point that since the facility benefits St. Luke's there should be a document in place ensuring that St. Luke's is responsible for the facility and the Township is to be indemnified. There should be language in place that if the facility must be relocated, or the road expanded or shifted, etc. that St. Luke's would bear the expense of relocating the facility. Mr. Boell and Mrs. Harper will work together to create a document addressing the issue and protecting the Township. Mrs. Harper asked if the Board is okay with leaving the transformer where it sits. If so, a revision to the Conditional Use Approval would need to be made stating a deed of dedication should be made when Mill Hill Road East is finished and an easement in favor of St. Luke's to maintain the transformer located in the right-of-way. Mr. Boell stated St. Luke's is totally agreeable. Mr. Strunk stated he thought the transformer was above ground now it is stated the transformer is underground. Mr. Burns provided clarity; most of the transformer is located underground. There is a small portion that is located above ground. The portion above ground will be protected with bollards. The underground portion is like a vault. The transformer powers the existing hospital and was unable to be relocated. Mr. Mininger asked how far the transformer is from the roadway. Mr. Andersen stated the structure is located roughly 5 feet behind the curb. Mr. Burns noted that the bollards are 3 feet off the roadway and spaced pretty tight together.

Mr. Strunk made a **MOTION** to approve a revision to the Conditional Use Approval granted March 16, 2021, allowing the transformer to remain in the right-of-way with an irrevocable easement. Mr. Mininger seconded the motion. The motion passed unanimously.

**Milford Village Section 1, Apartment Fee Submission.** Mr. Del Markward has made submission for Land Development of Section 1, Apartments and Retail. Mr. Markward stated the current fee schedule does not reflect a fee for apartments. Mr. Markward stated he followed the same application fee schedule as with the submission of the Assisted Living facility, which was a non-residential land development fee. Mr. Markward stated he does not feel the apartment should be classified as a multifamily residential use either and believes an alternate line items should be added to the fee schedule. Mr. Markward stated he has spoken to Mrs. Harper regarding the concern. Mr. Markward stated he paid an amount that he felt was close to being correct. Mrs. Harper asked if the real problem was that of the escrow fee which by calculation is \$109,800. Mrs. Harper noted in 2016 Mr. Markward requested a reduction in the required escrow fee amount and was granted such. Mrs. Harper stated the Board may want to consider a reduction in required escrow to a lesser amount and make it evergreen. Mr. Andersen agreed that the fee is too high. Mr. Markward stated the application fee is also very high and feels this fee is more intended for a multifamily where multiple lots are involved. The present request consists of one lot with 262 apartment units. Mr. Mininger stated the reviews will be what they are, and Mrs. Harper's suggestion of an evergreen fund makes the most sense. Mrs. Harper stated a \$25,000 escrow should be sufficient. Mr. Markward stated he agrees, and the application fee should be looked at as well. Mrs. Harper stated the calculation was done correctly per the current fee schedule. Mr. Markward asked Mrs. Harper what the purpose of the application fee was used for. Mrs. Harper stated mainly administrative purposes. Mr. Markward stated the fee for the Assisted Living was close to \$10,000 and \$53,000 seems to be too much. Mr. Strunk stated the fee schedule is set and he is unsure why we would want to change it. Mr. Strunk noted the plan consists of 262 apartments. Mrs. Harper did state 262 apartments, located in 6 buildings, is a larger development and the fees were calculated correctly. Mr. Strunk stated he is not inclined to change the application fee at this time. Mr. Markward asked if a reimbursement of unused funds would be refunded. Mr. Strunk stated no, that is not how it is processed. The fee schedule will be looked at for potential changes next year.

Mr. Strunk made a **MOTION** to reduce the required escrow fee from \$109,800 to \$25,000 to be held in evergreen. The motion was seconded by Mr. Mininger and passed unanimously.

### Correspondence:

**Bucks County Airport Authority.** Mr. Mininger reported the Airport Authority has approved putting the renovations of the terminal building out to bid. The renovations are mainly cosmetic and not structural. Mr. Mininger stated the Airport Authority has hired a new administrator who will act as a liaison for all the airports.

**Milford Township Water Authority.** Mr. Vey reported the Milford Township Water Authority Minutes cover routine business and are available for review.

**Milford Trumbauersville Area Sewer Authority.** Mr. Joe Valentine of the Milford Trumbauersville Area Sewer Authority was in attendance. Mr. Valentine asked for a status update on the proposed Ordinance regarding the discharge of sump pumps into the sewer system. Mrs. Harper stated a draft ordinance, which allows for inspections at the time of a Use & Occupancy inspection, has recently been submitted and is currently being reviewed.

### Reports:

**Code Enforcement.** Mr. Cordero presented the Code Enforcement Report for February 2022. A total of 16 permits were issued in February: 3 zoning permit, 5 residential renovation permits, 2 residential accessory permits, 4 commercial permits, and 2 single family dwelling permits. A total of 6 Use & Occupancy permits were issued and 9 fire inspections were performed.

**Public Works Department Reports.** The Public Works Department spent a lot of the month patching potholes and cleaning up/removing trees. Dave's services helped us take down large ash trees in the open space on Klines Mill Road and we removed ash trees in the open space at Parkside Development. Two large dying Norway maples were taken down at the old schoolhouse. We are working on building the picnic tables for the new pavilion at Unami Creek Park. We removed the transfer case and replaced the bearings in the small dump truck for the second time in four years and the truck is back up and running. We went out four times to salt this month and didn't have to plow at all. Mr. Winkler stated the Co-Stars Salt Participation Acknowledgement/Approval to DGS Statewide Contract for Sodium Chloride (Road Salt) for the August 2022- July 2023 Season is open until March 15, 2022 and seeks approval to participate.

Mr. Strunk made a **MOTION** to approve participation in the 2022-2023 Statewide Contract for Road Salt. Mr. Mininger seconded the motion. The motion passed unanimously.

**Park Board.** Mr. Vey presented the Park Board meeting minutes of February 9, 2022. Several ash trees have been removed from the Parkside Estates detention basin. Mr. Vey stated the plans for the splash pad at Molasses Creek Park were discussed which included the placement of the splash pad. Mr. Vey reported a bathroom upgrade is proposed as part of the plan as well as the construction of a new restroom facility. Mr. Strunk asked how far the placement of the splash pad is from the existing bathrooms. Mr. Vey stated the existing bathroom is in close proximity and he is looking into a precast structure. A discussion was had with the aquatic designer, and he is unsure of the availability of the PVC piping.

**Milford Fire Company Report.** Chief Butler presented the Fire Company Report for February 2022. A total of 18 calls were received. The Fire Company was approved for the State Grant debt reduction for the generator at Station 57. A meeting was had with Trumbauersville Borough Fire Company and joint drills should begin soon. A request will be made to the County to have an engine from Milford Township dispatched to cardiac arrest calls. Chief Butler stated the carnival is on for this year and the Fire Company will contract a new company to outfit the rides. Mr. Strunk asked Chief Butler if the Fire Company is equipped with AED's. Chief Butler stated they are and there currently have five new members who are in the process of getting their EMT certifications.

**Trumbauersville Fire Company Report.** Mr. Strunk stated the Trumbauersville Fire Company Report of January 2022 is available for review.

**Manager Report:** Mr. Vey reported a request for modification of the Nichol Subdivision approved in January of 2018 has been received. The Applicant requests the approved shared driveway be amended allowing for two individual driveways for lot #2 and lot #3 located on Bauman Road. Mr. Strunk stated he sees no problem allowing two driveways.

Mr. Mininger made a **MOTION** to amend the January 2, 2018 Final Plan of Subdivision approval granted to Robert & Nancy Nichol for the property located on Bauman Road, TMP# 23-002-136 allowing for two individual driveways to serve lot #2 and lot #3. The motion was seconded by Mr. Strunk and passed unanimously.

Authorization to Bid for replacement of first floor HVAC system for the Milford Township Administration Building. Mr. Cordero stated he anticipates the cost to be approximately \$25,000 to \$35,000. One unit currently serves the first floor. Mr. Vey stated the current controls in place are outdated. Mr. Mininger asked if the purchase of the new system would be paid using the ARP funds. Mr. Vey stated it would.

Mr. Strunk made a **MOTION** to authorize the advertising of the replacement of the first floor HVAC system at the Milford Township Administration Office. The motion was seconded by Mr. Mininger and passed unanimously.

Mr. Vey seeks authorization to proceed with the purchase of two pickup trucks for the Public Works Department. Mr. Winkler stated he has received a quote for two Chevrolet 3500 pickup trucks. The trucks would be equipped with a plow and spreader. An approximate cost of \$70,000 was provided for each truck. A solid price will not be given until May, 2022. The intent is to utilize the ARP funds for the purchase of the vehicles.

Mr. Strunk made a **MOTION** to approve the purchase of two Chevrolet 3500's equipped with plow and spreader. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Vey seeks authorization to proceed with the purchase of a vehicle to be used by administrative staff for various tasks. A quote was obtained from Hondru Ford for the purchase of a 2022 Ford Escape AWD with a purchase price of \$28,865.00. The delivery of the vehicle would be made 24 to 26 weeks after the order is placed.

Mr. Strunk made a **MOTION** to approve the purchase of a 2022 Ford Escape for administrative use. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Cordero presented the Faith Christian Temporary Shelter Agreement. Mr. Strunk asked if Faith Christian would be supplying water. Mr. Cordero stated water bottles would be part of the supplies provided by the Township. The school does have an on-lot well as well as a generator and are required to have the water tested.

Mr. Strunk made a **MOTION** to approve by Resolution No. 2022-10, the Faith Christian Temporary Shelter Agreement as presented. The motion was seconded by Mr. Mininger and passed unanimously.

Mr. Vey gave recognition to Mr. Joshua Mallery, Milford Township Emergency Management Coordinator, for his achievement in completing the Pennsylvania Emergency Management Advanced Certification Program.

**Escrow Release:**

Final Escrow Release Request in the amount of \$3,577.16 for Gorski Engineering, New Road Warehouse, TMP# 23-010-023.

Mr. Strunk made a **MOTION** to approve the Final Escrow Release Request in the amount of \$3,577.16 to Gorski Engineering closing out the escrow account. Mr. Mininger seconded the motion and the motion passed unanimously.

Construction Escrow Release Request, LifeQuest Nursing Center, 2460 John Fries Highway in the amount of \$76,662.41.

Mr. Strunk made a **MOTION** to approve LifeQuest Nursing Center Escrow Release No. 6 in the amount of \$76,662.41. The motion was seconded by Mr. Mininger and passed unanimously.

**Public Comment:**

No public comment was received.

**Adjournment:**

Mr. Strunk announced the Board will meet in executive session following adjournment of the regular scheduled meeting to discuss potential litigation.

With there being no further business Mr. Strunk made a **MOTION** to adjourn the March 1, 2022 regular meeting of the Milford Township Board of Supervisors at 8:39 p.m.

**Milford Township Board of Supervisors’  
Minutes of April 5, 2022 Meeting**

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**Attendance:** Supervisors present: Charles Strunk, Chair and Thomas Courduff, Vice-Chair. 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.

**Call to Order:** Chairman Strunk called the meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

**Approval of Minutes:** The Meeting Minutes of March 1, 2022 were tabled until the May 3, 2022 meeting.

**Financial Report:** Having reviewed the current bills list, Mr. Strunk made a MOTION to approve the invoices for payment, Concise Balance Sheet for the year 2021, and the Treasure’s Report of February 2022. Mr. Courduff seconded the motion. The motion passed unanimously.

**Announcements:** Mr. Cordero announced the Zoning Hearing Board will meet on Tuesday, April 12<sup>th</sup>, 2022 to consider the application of Austin & Victoria Sedicum for the property located at 1860 Sycamore Drive, TMP 23-034-011, in the RD Zoning District. The Applicant seeks a variance from Section 404 B5 to construct a garage 25 feet within the 50-foot setback. Mr. Courduff asked if any objections were received for the construction of the proposed garage. Mr. Cordero stated he received one request for a copy of the application.

The Zoning Hearing Board will consider the Application of Justine Alff & Matthew Gonzalez for the property located at 2215 Trolley Bridge Road, TMP 23-005-135, in the RD Zoning District. The Applicants seek a Special Exception from Section 304A to construct an addition on the side of a non-conforming structure.

**Land Development:**

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

**Benner Tract, Minor Plan of Subdivision-Lot Line Change, 1370 Kumry Road, TMP 23-001-128, 23-001-129, 23-001-130.** Mr. Robert Irick and Mrs. Anne Benner were in attendance to present the proposed plan of minor subdivision. The Applicant proposes to adjust the lot lines of TMP 23-1-129, 23-1-128, and 23-1-130 resulting in a lot size of 2.3336 acres for TMP 23-1-128, 2.8696 acres for TMP 23-1-129, and .5444 acres for TMP 23-1-130. The plan does not propose the creation of any lots. A single-family dwelling is located on each lot and will remain. No construction is proposed at this time. Mr. Irick stated the lots will be reconfigured to allow for the installation of a garden and a driveway. All lots are served with on-lot water and sewer. The site is in the RA- Rural Agricultural District. TMP 23-001-128 & 129 are both in excess of 2 acres and will remain in excess of 2 acres as required. TMP 23-001-130 is currently undersized and total .4387 acres at completion. The Planning Commission reviewed the plan and have recommended approval. The comments located on Andersen Engineering review letter dated February 11, 2022 are mainly will comply or a note will be added to the plan. Regarding comment Z-1 found in the review letter, which states TMP 23-001-130 is undersized. The township may want to investigate how this lot was created. Mr. Irick stated the existing structure is over 100-years old and the deed is based on a survey dating back to 1961 which predates enactment of the Zoning Ordinance. Comment Z-2 states the plan proposed to dedicate the ultimate right-of-way of Kumry Road to Milford Township. The existing houses are partially located within the ultimate right-of-way. As a result, the ultimate right-of-way will have “jogs” around the existing houses. Mr. Irick stated the plan proposes a 50’ ultimate right-of-way which based on the Quakertown Comprehensive Plan which identifies that section as a secondary road. This will still require a “jog”. Comment Z-3 notes all three houses are located within the required front yard. Mr. Irick stated they are existing non-conformities and will be identified as such on the plan. Plan revisions will be made to comment SALDO-1, all lettering will be legible. SALDO-2 requires concrete monuments, to which Mr. Irick stated they will comply. SALDO-3 states the locations of the on-lot sewage disposal systems for the structures on TMP 23-001-129 and TMP 23-001-130 are “unknown”. Mr. Irick stated the systems are considered pre-regulatory. The system found on Mrs. Benner’s property was inspected on May 5, 2021 and was found to be functioning satisfactorily. Mr. Strunk asked Mr. Irick if he has any idea where any of the drain fields are located. Mr. Irick stated they do not, they are only aware of the location of the tanks. Mr. Strunk stated this is worrisome as one is close to the property line. Mr. Irick stated there isn’t much information on the smallest lot, however; the property will almost be doubled in size. Mr. Strunk asked Mr. Courduff if he had any concerns and if there is a want for requiring a secondary site. Mr. Courduff stated he feels comfortable with waiving the requirement of requiring a secondary site. Mr. Irick stated SALDO-4 requests the Road Master reviews the condition of the roadway, swales, and grading along the property frontage to determine if any construction is required. Mr. Winkler stated no improvements were necessary. SALDO-5 states there is an existing storm sewer that starts on TMP 23-001-129, crosses TMP 23-001-130, and discharges into the roadside swale of Kumry Road. Mr. Andersen recommends an easement across TMP 23-001-130 for the pipe. Mr.

rick stated an easement will be provided. SALDO-6 addresses an ariel view in lieu of a plan showing surrounding uses. Mr. rick stated an ariel plan was provided due to no impact on the adjoining properties. SALDO-7 states Note #15 should be completed. Mr. Irick stated they will comply. Mr. Strunk asked what the current use is in the old cigar factory. Mr. Irick stated the use is a B1-Single Family Dwelling use. There were no further comments at this time.

Mr. Courduff made a **MOTION** to grant Preliminary/Final Approval of the Benner Minor Subdivision Plan, Prepared by Irick, Eberhardt & Mientus, bearing a date of January 21, 2022, with the condition the applicant comply with the Andersen Engineering Associates Review Letter dated February 11, 2022. The motion was seconded by Mr. Strunk and passed unanimously.

**Millstone at Parkside, Final Plan of Subdivision, Foulks Mill Road and Allentown Road, TMP 23-010-137, 23-010-144-003, and 23-010-145.** Mr. David Caracausa of Centennial Acquisitions and Mr. Kirk Clauss of Schlosser & Clauss Consulting Engineers were in attendance to present the proposed subdivision plan. Mr. Caracausa gave a brief recap of the plan. The applicant proposes to subdivide the 37.92-acre site into 33 lots. There are 31 single family dwelling lots and 2 open space lots proposed. Mr. Caracausa stated Millstone at Parkside, formally known as Reserve at Milford, was granted preliminary approval on January 4, 2010. Mr. Caracausa stated there has been no change in the layout of the plan and no new waivers are being requested. The site will be served with public water and public sewer. All outside approvals, PennDOT and DEP, have been obtained. Mr. Andersen has reviewed the plan for compliance.

Mr. Strunk noted the approval of the subdivision granted in 2010 utilized the current cost of construction and all figures should be brought up to date due to inflation. Mr. Strunk stated the township no longer accepts dedication of stormwater facilities and stated a Homeowners Association be put in place and funded to maintain the facilities. Mr. Strunk noted where the proposed sledding hill is located a rain garden, which was never approved, is now shown at the bottom of the hill with an 8-foot deep trench which causes safety issues. Mr. Clauss said the rain garden is 2-feet on the high side and is required for compliance with the NPDES permit and feels the location of the rain garden is good as it would prevent sledders from entering onto Allentown Road. Mr. Courduff asked if the rain garden was an addition to the plan. Mr. Strunk stated the rain garden was added to the plan after preliminary approval was granted. Mr. Caracausa stated the preliminary approval was subject to obtaining outside agency approvals and the rain garden is a requirement that cannot be removed from the plan. Mrs. Harper stated there are a few issues that need to be worked through with the Board. The sledding hill was designed as active recreation and if now not feasible due to safety concerns, there is an issue with open space requirements. It needs to be determined if the space can be used as a sledding hill and who will take ownership of the sledding hill and what are the liabilities associated with it. If it cannot be used as recreation space then there are a couple options under the ordinance, fee-in-lieu, or relocation of the rain garden. Mrs. Harper stated there are now differences with the Preliminary Plan and Final Plan which causes concern. Mr. Caracausa stated the area of the sledding hill is approximately 6.5-acres, where 4-acres of recreational space are required per the Ordinance, and the liability was always there with the sledding hill. Mr. Caracausa said his first question is whether to continue with the recreational area or deal with what can be done and second, if not used as recreation space, what can be done to keep both the Board and DEP happy. Mr. Courduff stated the sledding hill has been a big part of our children's recreation for years and years and is a very popular site, as far as going onto Mill Road, the traffic is minimal with an occasional vehicle that comes into park. Mr. Courduff said he would like to continue with the sledding hill as part of the recreation requirement. Mr. Caracausa stated they will need to figure out how to handle the concerns with the rain garden and sledders. Mrs. Harper asked if there is an engineering solution to prohibit children sledding down the hill and ending up in the rain garden. Mr. Clauss stated the area is a 2' deep area that will be naturalized with wildflowers and wild grass seed mix in the bottom, no rocks are located within, just a riprap area in the corner adjacent to Allentown Road. Mrs. Harper asked who will own the sledding hill and if a Homeowners Association would be created. Mr. Caracausa stated as noted in the Resolution the space is to be dedicated to the Township and there are no plans to establish a Homeowners Association. Mr. Caracausa said if the Supervisors prefer the two basins be maintained by an HOA, an HOA can be created to handle the basins but still dedicate the open space to the township as originally planned. Mr. Strunk stated there is a note on the plan for a Homeowners Association to take care of the level spreader. Mr. Caracausa stated yes, just the level spreader. Mr. Strunk stated the Township does not want ownership of the of the detention basins, an HOA should be established to take care of the detention basins, rain garden, and level spreader. Mrs. Harper asked the Board what their feelings are on taking dedication of the open space. Mr. Strunk stated he does not want to accept dedication with the liability associated with the sledding hill and the ditch at the bottom. Mr. Courduff stated other than that he thinks the Township should own it for many reasons, there are environmental issues on site, special bird species, meadow grass and birds thrive in that area. Mrs. Harper asked Mr. Caracausa if he is willing to have the HOA own the rain garden and take control of the 6-acre plot, including the sledding hill. Mr. Caracausa said there are no problems with ownership of the rain garden, however; there is a problem with the public open space and feels the Township should own and maintain this area.

Mr. Caracausa has requested sidewalk and parking waivers. Mrs. Harper stated the sidewalk and parking area are related to the sledding hill. Mr. Andersen said located on the current plan along the north side of Mill Road there is head in parking shown, on the approved plan the parking is located on the south side of Mill Road, including a walking path along Mill Road.

Mr. Strunk said the walking path disappeared somewhere. Mr. Caracausa asked if the parking area and walking path are desired. Mr. Courduff stated yes, and it is needed. Mr. Caracausa then asked if the recreation space is desired and if it is, he then understands the want for the parking and walking path. Mr. Courduff stated the area should be kept as recreation space and the Township should take ownership. Mr. Andersen asked Mrs. Harper if the Township is going to own the open space, if there is a way to carve out the rain garden and make that the responsibility of the HOA and the Township owns the ground around it. Mrs. Harper stated yes, the HOA will take control of the stormwater management system and the rain garden is part of that system. Mr. Strunk asked if the rain garden could be flattened so it does not appear as a ditch. Mr. Caracausa stated he would like to but cannot change the rain garden, it is required to be built a specific way. Mr. Caracausa stated if the rain garden was changed it would have to be located more uphill as Mill Road is located at the bottom. Mr. Courduff stated Mill Road is closed for through traffic and will remain so. Mr. Courduff said the rain garden should be looked at further along with researching what other options are out there, including the configuration. Mrs. Harper stated a change may not be able to be made per the NPDES permit and the Board may want to make a site visit with the plan in hand to view the location. Mr. Andersen stated stakes in the ground would be a good way to show the location of the rain garden and how deep it will be.

Mr. Caracausa stated there are no changes to the requested waivers, however; there are two requests to amend the construction sequence. A request is made to amend the requirement that site improvements be completed by issuance of the 7<sup>th</sup> building permit. Mr. Caracausa requests this be moved to issuance of the 15<sup>th</sup> building permit. Mr. Courduff asked what the reasoning is. Mr. Caracausa stated the project is not phased and all the improvements will go in at the same time, the road will be in, stormwater in and curbs in. It is possible not all sidewalks, driveway aprons, and street trees will be installed based on the sequence of construction. Grading on one lot can affect the neighboring lot. Mr. Courduff asked Mr. Cordero if he had a problem with that. Mr. Cordero stated he does not see an issue with a change in the sequence. Mr. Strunk stated he has reserves when it comes to the planting of the street trees and would like to ensure they get planted. Mr. Caracausa stated the landscape plan will be attached to the HOA documents to ensure the trees will be planted. Mr. Courduff stated he does not have a problem with changing the sequence to building permit #15, Mr. Strunk stated he agrees. Mr. Caracausa stated this ties to his second request, the requirement that all landscape grading and plantings be installed at the time of occupancy. This sequence would also be change to the issuance of the 15<sup>th</sup> building permit.

Mr. Caracausa would like consideration that the required \$45,000 Recreation Improvement Fee be amended as he is contributing recreation space, which includes an additional 2-acres, installing a parking area and a trail. Mr. Caracausa requests paying for the parking area and trail with this \$45,000. Mr. Courduff stated the approval was based-on current figures and numbers at the time it was approved, to which both sides agreed, he does not want to go back to negotiate what the former board has done. Mr. Courduff asked about down spouts, leaders, and sump pumps as there is no diagram showing where this water is going. Mr. Clauss stated NPDES regulations state the water is to drain over the land surface allowing more time to infiltrate. Mr. Caracausa stated the note on the plan will be adjusted to state such. Concerns of sheet flow from sump pumps was noted. Mr. Caracausa asked if there were any other issues to go over at this time, other than the position and location of the rain garden. Mr. Strunk said the location of the rain garden should be staked and the township notified so a site visit can be performed. With there being no further discussion, the proposal was tabled.

**Mood, Waiver of Land Development, John Fries Highway, TMP 23-010-100-001.** Thomas, Katie and Matthew Mood were in attendance to discuss the proposed waiver of land development request, which was presented at the March 1, 2022 Board of Supervisors meeting. Mrs. Mood stated a previously approved subdivision plan required a traffic signal be installed at Rosenberger Road and Route 663 as well as the completion of Progress Drive. The Moods are seeking a waiver of these requirements at this time. The Moods are seeking a solution as far as safely entering and exiting the site onto Route 663. Mr. Vey presented the proposed Waiver of Land Development Agreement. The previous approval has been amended to reflect the current waiver request. Several items in the previous approval have been completed and addressed at this time, including engineer review and a \$30,000 contribution to the traffic improvement fund. Noted in the approval letter is future land development applications will include the extension of Progress Drive to Route 663, which will not be triggered with the current request. The removal of the existing farm stand will occur after the new building is constructed. The posting of escrow or inspections will be discussed and outside agency approvals required. Mr. Vey stated the Moods are in possession of a Highway Occupancy Permit issued from PennDOT which will be modified to include a lane for east bound left turns into the existing Route 663 access and be completed before a Use & Occupancy Permit is issued. The right-of-way dedication of Progress Drive, as shown on the previous plan will be dedicated. Mr. Courduff asked for a short summary of the PennDOT permit. Mr. Matthew Mood stated they have spoken with PennDOT and their engineers and it was noted that a left turn lane from Pennsburg to Quakertown, would not be a waste of money as it could be used in the future as part of the Rosenberger Road left turn lane. Matthew Mood said there could be some realigning of the roadway and some resurfacing work to achieve this. Mr. Courduff asked if there would be any widening required. Mr. Mood said no widening would be required. Mr. Courduff asked Mr. Mood if there have been any accidents from a left-hand turn. Mr. Mood said there have been no accidents due to a left turn. Mr. Courduff asked Mr. Mood how long the farmstand has been operating on the site. Mr. Mood said the stand was started in 1968. Mr. Courduff asked if Windy Springs has acquired additional property next to parcel 1. Mr. Mood

said yes, another 12 acres. Mr. Courduff asked if there are any immediate plans for the property. Mr. Mood said there are no plans for the property other than to farm the property. Mr. Strunk said the building is sighted in a good spot where it won't be in the way of any future development. Mr. Strunk stated he is in favor of traffic exiting out the rear onto Progress Drive and making a left at the light at Weiss and Route 663. Mrs. Harper asked if an escrow is needed for anything. Mr. Strunk stated yes, there will most likely be an escrow held by PennDOT. Mr. Vey stated it was the intent to not issue a Use & Occupancy Permit until the improvements have been installed and there may not be a need for establishing an engineering escrow. There was no further discussion at this time.

Mr. Courduff made a **MOTION** to approve the Waiver of Land Development contingent on the installation of roadway improvements to Route 663 and obtaining required outside agency approvals. The motion was seconded by Strunk and passed unanimously.

### **Other Business:**

**Adoption of Ordinance No. 178 Vacating a Portion of Doerr Road by Agreement.** Mrs. Harper opened the hearing on the adoption of Ordinance No. 178, Vacating a Portion of Doerr Road by Agreement at 8:20 p.m. Mrs. Harper stated the proposed Ordinance has been advertised as required in the Town & Country newspaper. No public comment was received.

Mr. Strunk made a **MOTION** to approve the adoption of Ordinance No.178, Vacating a Portion of Doerr Road by Agreement. The motion was seconded by Mr. Courduff and passed unanimously.

### **Resolution No. 2022-13. A Resolution Accepting Agreements with Property Owners and the PA Turnpike Commission to Vacate a Portion of Doerr Road and to Deed it to the PA Turnpike Commission.**

Mr. Strunk made a **MOTION** to approve Resolution No. 2022-13, A Resolution Accepting Agreements with Property Owners and the PA Turnpike Commission to Vacate a Portion of Doerr Road and to Deed it to the PA Turnpike Commission. Mr. Courduff seconded the motion. The motion passed unanimously.

Mrs. Harper closed the hearing at 8:22 p.m.

**HVAC System Bid Results.** Mr. Cordero presented the bid results for the replacement of the first floor HVAC system at the Milford Township Administration Building. One bid was received from Hirschberg Mechanical with a bid total of \$71,950. Mr. Strunk asked Mr. Cordero if Hirschberg Mechanical is a reliable contractor. Mr. Cordero stated the company has good references, however; he has not dealt with them personally. Mr. Courduff questioned the availability of parts. Mr. Cordero stated two other companies inspected the system and did not submit a bid. Mr. Strunk stated the quote seems very high and would like to re-bid the project.

Mr. Strunk made a **MOTION** to reject the bid received from Hirschberg Mechanical with a bid total of \$71,950, for the replacement of the first floor HVAC System, and re-bidding of the project. Mr. Courduff seconded the motion. The motion passed unanimously.

**Purchase of Emergency Management Equipment and Security System.** Mr. Kletzing presented the updated figures for the purchase/installation of the security cameras for the Public Works building and Molasses Creek Park. Mr. Kletzing stated there has been a 40% increase in price from the initial quote and receiving the equipment may take time. Mr. Kletzing stated the security system has been helpful thus far in aiding the State Police. Mr. Kletzing stated the cameras at Molasses Creek Park will cover the area of the splash pad, parking area, and pavilions. Mr. Strunk stated he met with Mr. Kletzing to review the current system and stated it is very well worth it. Mr. Cordero stated part of the increase gives the availability to expand the system in the future. Mr. Courduff asked Mr. Kletzing if he had a recommendation. Mr. Kletzing stated he recommends Kriebel Security Inc. install the proposed security system.

Mr. Courduff made a **MOTION** to approve the purchase and installation of the security system as presented, by Kriebel Security Inc., at the Milford Township Public Works Building and Molasses Creek Park with a total price of \$21,680. The motion was seconded by Mr. Strunk and passed unanimously.

Mr. Cordero presented a request for the purchase of Emergency Management Supplies. The request includes the purchase of an enclosed trailer, portable lighting, generator, tables, chairs, laptop, and a TV. Radio Planning has also been added. The total purchase price is approximately \$14,500 not including radios. Currently all radio communication is through the township radio system or utilizing fire company radios. If the township would like to proceed with utilizing its own portable radio through the Bucks County system it would be an additional \$14,500, approximately. Mr. Courduff asked if this is the first step in setting up an Emergency Management Center. Mr. Cordero stated this is geared more towards emergency sheltering as well as an emergency center. Faith Christian will be executing the Emergency Shelter Agreement at their next Board meeting.

Mr. Courduff made a **MOTION** to approve the purchase of the requested Emergency Management equipment with an approximate cost of \$14,500. Mr. Strunk seconded the motion. The motion passed unanimously.

**Open Space Acquisition.** Mrs. Harper announced there is a change in the agenda to add Resolution No. 2022-14. Mr. Strunk made a MOTION to amend the agenda. Mr. Courduff seconded the motion. The motion passed unanimously. Mrs. Harper presented Resolution No. 2022-14, A Resolution Authorizing the Acquisition of 2255 Milford Square Pike for Open Space Purchases. Mrs. Harper stated the acquisition of the property has been approved at a previous meeting. This authorizes the township to execute the agreement of sale and allows the township to acquire the property in lieu of condemnation.

Mr. Strunk made a **MOTION** to approve Resolution No. 2022-14, A Resolution Authorizing the Acquisition of 2255 Milford Square Pike by Milford Township for Open Space purposes. The motion was seconded by Courduff and passed unanimously.

### Correspondence:

**Bucks County Airport Authority.** Mr. Vey presented the minutes of the Airport Authority Meeting of February 9, 2022. The minutes state the Runway Easement/Obstruction removal for Runway 11 is on hold until spring. Runway 29 Easement/Obstruction Removal is in process and letters have been provided to all affected property owners on both ends of the Runway. The Terminal Building Improvement Project is intended to go out to bid. Capital Budget Release Requests were submitted in JACIP for the construction of new hangar for Air Methods for \$5 million, rehabilitation of pavement for \$200,000, and construction of new 60'x 60' unit hangars for \$1.2 million.

**Milford Township Water Authority.** Mr. Vey reported the Milford Township Water Authority Meeting Minutes of February 3, 2022, cover routine business including the payment of invoices, drawn down of escrow accounts, including Milford Village Mill Hill Road East and St. Luke's West Wing. The Authority is waiting for LifeQuest to post the 18-month maintenance security for the Milford Village Phase I Section 3 Part A project so the Authority can accept dedication of the water facilities. The Authority has submitted the final packet to District #6 for the 75%/25% cost sharing for the Portzer Road/Old Bethlehem Pike round-a-bout. The Authority is waiting of the cost sharing agreement.

**Milford Trumbauersville Area Sewer Authority.** Mr. Vey reported the Milford Trumbauersville Area Sewer Authority Meeting Minutes of February 21, 2022 cover routine business, including escrow releases. A status update of the Wastewater Treatment Plant was given. The minutes state there have been no problems with the Wastewater Treatment Plant, however; during the first week of February the Treatment Plant experienced 3-days of high flow due to rainfall and snow melt, which did not exceed the NPDES limits. Work is being performed on the 537 Plan. A discussion was had with DEP on what is necessary regarding the copper limit. Mr. Courduff stated the copper discharge is a significant issue with the Authority. If DEP is starting to review one of the issues is copper service lines. Centennial Acquisition has submitted plans and posted review fees for the 32-lot subdivision. The Authority is reviewing a request made by Bracalente Manufacturing Co. for a will serve letter for an additional flow of 1,300 gallons per day.

**Quakertown Borough Community Day Sponsorship Request.** A request has been received from Quakertown Borough to sponsor the annual 4<sup>th</sup> of July Community Day.

Mr. Strunk made a **MOTION** to approve a donation in the amount of \$2,500 to Quakertown Borough for sponsorship of the annual 4<sup>th</sup> of July Community Day Event. Mr. Courduff seconded the motion. The motion passed unanimously.

### Reports:

**Code Enforcement.** Mr. Cordero presented the Code Enforcement Report for March 2022. A total of 29 permits were issued in March: 5 zoning permit, 12 residential renovation permits, 5 residential accessory permits, 3 commercial permits, and 1 single family dwelling permits. Three permits were withdrawn. A total of 14 Use & Occupancy permits were issued and 8 fire inspections were performed. Two Zoning Hearing Board Applications were received.

**Public Works Department Reports.** Mr. Winkler presented the Public Works Departmental Report for March 2022. The Public Works Department spent a lot of time this month patching potholes and removing sticks and branches from roadways due to high winds. At Unami Creek Park, we finished installing the new picnic tables and removed the old pavilion. We took down several ash trees at the intersection of Carvers Hill and Old Plains Roads. We started installing mulch in the beds at Molasses Creek Park and opened both parking lots for fishing. We were out 3 times to salt and one time plowing this month.

Mr. Winkler presented the results of the 2022 Road Bids. Mr. Winkler stated a total of 6 Bids were advertised, 3 of which were bid renewals. Bid Package 1- Approximately 14,000 lbs ASTM D 6690 Type II Rubberized Crack Seal installed complete in place as per Penn Dot Pub 408 Section 469; Approximately 400 gallons Right Point-Pave Patch (or Penn Dot equivalent). 12,000 SY Ultra Thin Bonded Wearing Course installed complete in place per Penn DOT Pub 408 Section 469, Contract renewal 3 of 3; Bid Package 2- Equipment Rental, Road Sealer and Oil & Chip, approximately 30 hours, contract renewal 2 of 3; and Bid 2- Type II Slurry Seal. Contract renewal 3 of 3 are all contract renewals. The current contract for each is held with Asphalt Maintenance Solutions.

Mr. Courduff made a **MOTION** to grant approval of the contract renewals to Asphalt Maintenance Solutions for Bid Package 1, Bid Package 2, and Bid 2. Mr. Strunk seconded the motion. The motion passed unanimously.

Mr. Winkler stated two bids were received for Bid 3- Rental of Paving Equipment and laborer(s)-approximately 50 hours. Bids were received from Sacks & Sons Inc. with a total bid of \$67,575.00; and PK Moyer & Sons with a total bid of \$91,500.00.

Mr. Courduff made a **MOTION** to award Bid 3-Rental of Paving Equipment and laborer(s) to Sacks & Sons Inc. with a total bid of \$67,575.00. The bid was seconded by Mr. Strunk and passed unanimously.

Mr. Winkler stated one bid was received from Highway Materials Inc. for Bid 1A/1B, Bid 1A- Approximate quantities of road material aggregates - 600 tons #4, 500 tons #2A, 800 tons #2B, 200 tons R-4, 300 tons R-5, 800 tons 1-B washed, 800 tons 1-3. Bid 1B- Approximate quantities of Warm Mix Asphalt (PG64-22WM4) – 400 tons 25mm 0 < .3, 300 tons 19mm 0 < .3, 600 tons 9.5mm 0 < .3. ALL WARM MIX MUST BE VIRGIN MIX POSITIVLY NO RAP, with a total bid in the amount of \$37,050.00 FOB and a total of \$48,735.00 delivered for Bid-1A and a total bid amount of \$143,765.00 FOB and \$157,565.00 delivered for Bid-1B.

Mr. Courduff made a **MOTION** to award Bid-1A, Road Materials, to Highway Materials Inc., with a bid amount of \$37,050.00 FOB, and Bid 1-B, Warm Mix Asphalt, to Highway Materials Inc., with a bid amount of \$143,765.00 FOB.

Mr. Strunk seconded the motion. The motion passed unanimously.

**Park Board.** Mr. Vey presented the Park Board meeting minutes of March 9, 2022. American Sycamores and River Birch trees have been planted at Wonsidler Grove. There will be a volunteer clean-up day on April 9, 2022 at Unami Creek Park with the focus being of installation of sand and paver launch pads on the disc golf course. A discussion was had regarding the concert in the park series and the possible use of the existing pavilion from Unami Creek Park as a stage. The splash pad project continues to move forward.

**Milford Fire Company Report.** Chief Butler presented the Fire Company Report for March 2022. A total of 31 calls were received. The paperwork for the State Grant has been signed and sent back to the State so the funds can be direct deposited. Time has been extended for the AFG Grant. The QRS program will be up and running soon. A meeting was had with Trumbull Construction to review plans for emergency vehicle access.

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

**Manager Report:** Mr. Vey reported an Appraisal Report and Agreement of Sale was mailed to Ms. Woodroffe today for possible acquisition of a vacant 2.93-acre parcel located on Krammes Road, TMP 23-010-014, which adjoins Molasses Creek Park.

Mr. Vey reported the Township is in receipt of a Sewage Facility Mailer for Quaker Pointe Hotel. The applicant is requesting an exemption from the requirement to revise the Act 537 Plan.

**Public Comment:** Mr. Raymond Dougherty of Lucky Lane stated fires continue to be an issue and are getting worse. Mr. Dougherty would like to see the fires come to an end. Mr. Dougherty stated a new neighbor was burning what appeared to be construction debris, then proceeded to pour gasoline on the fire. These fires continue to be burned on open space. Mr. Dougherty stated the construction materials go against DEP guidelines and he is in the process of filing a complaint with them. Mr. Dougherty stated everyone in the development has an ownership interest in the open space and research of Section 1301(d)(e) of the Criminal Code which suggest every resident has a duty to extinguish the fire unless there is personal danger, and he will call the police every time there is a fire on the open space. He is unsure why the fires continue to go on. He would also like to bring to the attention of the Township, especially after his previous request that the Township take over management of the HOA, that the Township can enforce the building codes, which is not being done. Conditional Use & Occupancy permits have been issued stating items are to be removed from the open space. Mr. Dougherty asked Mr. Cordero if this has been done. Mr. Cordero stated he will have to get back to him when he is in the office. Mr. Dougherty stated buildings remain within the stormwater management facilities. Mr. Dougherty stated the township needs to enforce the building code and fires remain within 10' of a building. Mr. Dougherty stated he will be calling the police as there is no way to get ahold of the township after hours. Mr. Dougherty stated owners should be issued a citation at this point. Mr. Cordero stated he has reviewed the photos and video that was sent and is in process with violation notices. Mr. Dougherty stated the president of the HOA tells residents to do what they want, and he is concerned with safety and liability. Mr. Strunk asked Mrs. Harper if she had any thoughts on the issue. Mrs. Harper stated the HOA is not doing its job or cooperating with Mr. Dougherty. Mr. Dougherty stated that is correct there are ongoing issues with the open space, building located within the stormwater facilities, fires, and lights aimed on his house and he is tired of filing complaints. The HOA is not operating as it should new owners are not being provided a copy of the declaration, new buyers are being told there is no HOA, meetings are

not being held, and financial statements are not being provided. Mrs. Harper stated the Township is doing its part and enforcing the Code. Mr. Dougherty noted there are buildings located within the open space that were not issued permits. Mr. Dougherty stated the fire code needs to be enforced. Mr. Strunk noted Mr. Cordero should keep an eye out for the burning of construction debris on the property and cite as necessary.

Mr. Malachowski of 2175 Breisch Road and Ms. Lara Hinkle of 2250 Breisch Road were in attendance to discuss ongoing issues they are having with Faith Christian Academy. Mr. Malachowski stated they have reached out to Faith Christian regarding the issues and have had no resolve. There have been hunters on the open space who have been questioned and stated their child attends Faith Christian and they are allowed to hunt there. There have also been issues with people riding a motor in the creek. Mr. Malachowski stated he reached out to Mr. Roth from the Public Works Department regarding these issues. Mr. Malachowski stated there is litter and issues with school busses turning around. Mr. Malachowski reached out to Mr. Cordero who stated he needs to contact the State Police who in turn told him it is a Township issue. Ms. Hinkle stated since 2007 she has shared two fence lines with the now Faith Christian Academy. Ms. Hinkle stated she had none of the issues she has today when the property was owned by Milford Middle School. There is much aggravation daily. Mr. Clymer, headmaster of the school, is very kind there has never been a solution to issues such as trespassing on her property parents dumping the fence, children left unattended to torment her dogs, and throwing things at her horses. Light pollution is an issue as well, along with constant construction and construction debris, and litter. There have been multiple incidents with school busses damaging her property. Mrs. Hinkle stated her ask is that the township considers the taxpayers and the safety of families and businesses and come up with a permanent solution to the ongoing issues of traffic and trespass. Mr. Strunk stated the township has a decent relationship with the school and can have a conversation with them on these issues. Mr. Malachowski stated Breisch Road is being used as a racetrack. A request for a stop sign to be installed at the end of the Faith Christian driveway was made and a very small stop sign was installed. Mrs. Hinkle maybe a roadway could be constructed off Allentown Road. Mrs. Hinkle stated these issues have been going on for over a year and a half now. Mrs. Hinkle stated the school has stated they have permission from the township to hold class on the open space. Mr. Malachowski asked where to go from here. Mr. Vey stated a meeting with all should be had with all to come up with parameters on what is acceptable and what is not acceptable. Mr. Malachowski stated he would like to see a solution to hunting on the open space as well as it is unacceptable to shoot towards a residence.

**Adjournment:**

With there being no further business Mr. Courduff made a **MOTION** to adjourn the April 5, 2022 regular meeting of the Milford Township Board of Supervisors at 9:35 p.m.