

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

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

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, ramps 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 \$1,250.00. 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 pruning 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 of 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

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 thoroughfare 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 noteworthy 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.

Porter 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

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 effected 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 3rd 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

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 item 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

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 12th, 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, 23-010-144-103, 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 15th building permit. Mr. Caracausa requests this be moved to issuance of the 15th 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 15th 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 for 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 4th 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 4th 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.

Milford Township Board of Supervisors'
Minutes of May 3, 2022 Meeting

Attendance: Supervisors present: Charles Strunk, Chair and Thomas Courduff, Vice-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; and Nathan Cordero, Zoning Officer

Call to Order: Chairman Strunk called the meeting of the Milford Township Board of Supervisors to order at 7:01 p.m.

Approval of Minutes: Mr. Strunk made a **MOTION** to approve the Meeting Minutes of March 1, 2022 as written. Mr. Mininger seconded the motion. The motion passed unanimously. Mr. Courduff made a **MOTION** to approve the Meeting Minutes of April 5, 2022. The motion was seconded by Mr. Strunk and passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a MOTION to approve the invoices for payment and the Treasure's Report of March 2022. Mr. Mininger seconded the motion. The motion passed unanimously.

Announcements: Mr. Cordero announced the Zoning Hearing Board will meet on Tuesday, May 10, 2022 to hear the following applications; The application of Jason Padilla & Jacqueline Cubias for the property located at 2009 Barley Drive, TMP No. 23-004-104, located in the SRM Zoning District. The Applicants seek a Variance from Section 404H2d, to construct a 200 square foot shed 3 feet from the side property line and 4 feet from the rear property line; The application of Boguslaw Kowalewski for the property located at 2460 Zion Hill Road, TMP No. 23-005-114, in the RD Zoning District. The Applicant seeks a Variance from Section 404H2i, to construct a garage at a height of 23 feet 4 inches where 18 feet is permitted; and the application of Steve Zakusilo for the property located at 2095 Old Woods Road, TMP No. 23-020-120 and 23-20-121, in the RA Zoning District. The Applicant seeks a Variance from Section 803B, to permit two non-conforming lots in single ownership. A Variance from Section 503, to permit a lot width of 111 feet on TMP No. 23-020-120 where a minimum of 200 feet is required, and a Variance from Section 503, to permit a lot width of 81 feet on TMP No. 23-020-121 where 200 feet is required.

Land Development:

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

Millstone at Parkside, Final Plan of Subdivision, Foulkes 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 which was presented to the Board of Supervisors at the meeting held on April 5, 2022. Mr. Caracausa stated Final Plan Approval is being sought at this time. A question was raised at the last meeting regarding the ownership/dedication of a portion of the open space, a 6.5-acre area adjacent to the existing Township open space. Mr. Clauss stated the comments found on the Andersen Engineering review letter dated February 23, 2022 are will comply. Mr. Clauss stated one issue discussed at last month's meeting was the rain garden and the safety of the sledding hill. Mr. Clauss stated following the meeting he staked out the area of the rain garden for the Board to look at in comparison to those safety concerns. Mr. Clauss said there were a couple of items that he was asked to provide one of which was plant material. Concerns were raised as to the types of vegetation that would be planted within the rain garden. Mr. Clauss said there will be no woody plants installed. The mix is a meadow mix. The maintenance of the garden consists of removing invasive species, essentially weeded. At the end of the growing season the vegetation is to be cut down, which is essentially mowing. Mr. Courduff stated the vegetation should be cut and removed at the end of each season to avoid killing the root system of the vegetation. Mr. Courduff asked for clarification of the slope of the rain garden. Mr. Clauss stated there is a 4:1 ratio with a small berm on the back side. Mrs. Harper stated one of the open questions is whether the township is interested in taking dedication of the open space, the sledding hill. Mr. Courduff stated he thinks the township should own the open space and the rain garden. Mr. Andersen suggested that if the township takes ownership/dedication of the rain garden it follows a 3-year maintenance period, allowing the rain garden to be established prior to taking ownership/dedication. Mr. Vey stated that address the establishment of the rain garden not the continuing maintenance. Mr. Vey stated he thinks the whole package included a contribution of storm facilities, which is now to go to the homeowner's association. There should be a post construction stormwater plan provided. Mr. Clauss stated with the rain garden being detached from the development the inflow of rainwater will not be disturbed and the water will be "clean" before it gets to the rain garden. Mr. Vey asked if there is anything that can be put in the HOA documents regarding the maintenance of the open space and the basin(s). Mr. Caracausa stated in a typical HOA there is a budget set up allocating where the funds are being sent and the open space/basins will be mentioned specifically. Mrs. Harper stated she would like to review the HOA documents prior to recording. Mr. Caracausa stated that would be no problem. Mr. Caracausa stated the open space located on lot 33 will be maintained by the HOA. Mrs. Harper stated if the HOA is to take

are of the open space and level spreader the buyers are to be made aware prior to purchasing. Mr. Caracausa stated the HOA documents are very specific regarding Capital Contributions and break out all the requirements of such in the document. Mrs. Harper suggested a draft resolution be prepared, circulated, and presented at the June 7, 2022 meeting for action. Mr. Caracausa stated the draft approval should mirror the approval granted in 2010. Mrs. Harper stated the board said no on all the newly requested waivers except for #7, the trigger to building permit #15. Mr. Caracausa stated there has been no change to the requested waivers, however; there was a change to the conditions. Mr. Strunk stated there is a large rock and two trees around the bottom of the sledding hill that should be removed to make the sledding hill as safe as possible. Mr. Clauss stated a safeguard is in place, a berm that runs along most of the Mill Road property line. Mr. Strunk stated the extension of the trail to the woods at Mill Road does not need to be installed at this time. Mr. Caracausa questioned the need for concrete monuments throughout the subdivision and asked if iron pins would be acceptable and concrete monuments installed on just the open space. Mr. Mininger stated iron pins tend to get lost. Mr. Strunk stated he feels the figures should be revisited and compared to today's cost as the plan was approved 22-years ago. Mr. Caracausa stated he cannot adjust the figures. Preliminary approval was renewed in 2020 by Mr. Canavan of WB Homes. Mr. Caracausa stated \$25,000 would be directed to the open space parcel which rain garden. Mr. Vey asked if the other \$25,000 would be directed to the Capital Contribution of the HOA. Mr. Caracausa stated it would not. Mr. Caracausa stated in the Preliminary approval \$50,000 was allocated to the two open space parcels/detention basins and the township was to take dedication of both basins. The township is now taking dedication of one open space parcel with a rain garden. The second open space parcel is to be maintained by the HOA. Mr. Caracausa stated the HOA Capital Contributions for maintenance and the like will be collected from the buyer at the time of the sale of the home. Mr. Andersen noted the plans consist of 2 stormwater detention basins, a rain garden, and a level spreader. Mrs. Harper stated the applicant is proposing dedication of one of the open space parcels, which consists of a rain garden and sledding hill, to the Township. Mr. Caracausa stated the Board should keep in mind that the HOA will be managed by a professional company and today's buyers want HOA's for assurance of their investment. Mrs. Harper will prepare and distribute a draft resolution for review to be presented at the June 7, 2022 Board of Supervisors meeting.

Mood, Waiver of Land Development Agreement, 1970 John Fries Highway, TMP 23-010-100-001. Mr. Vey presented the Waiver of Land Development Agreement for the Mood proposal. Mr. Vey stated minor details of the language have changed slightly. There is one significant change which states the PennDOT permit details a left turn lane on Route 663 at the existing driveway. Mr. Mininger stated the agreement looks okay to him; Mr. Strunk agreed.

Mr. Mininger made a **MOTION** to approve the Mood Waiver of Land Development Agreement for the property located at 1970 John Fries Highway, TMP 23-010-100-001. Mr. Strunk seconded the motion. The motion passed unanimously.

Correspondence:

Bucks County Airport Authority. Mr. Mininger presented the minutes of the Bucks County Airport Authority. Mr. Mininger stated a number of Capital Budget grants were applied for and none were awarded to Quakertown. A grant was awarded to Quakertown Airport last year for the refurbishing of the terminal building. Mr. Mininger stated Doylestown Airport was awarded a number of grants for several Capital Improvement Projects.

Quakertown Area Planning Committee. Mr. Vey presented the minutes of March 8, 2022. The QAPC tabled the review of the Conditional Use Application and the Preliminary Plan(s) of Land Development for proposed retail and apartments for Milford Village Section 1 until April when the review from the Bucks County Planning Commission is available. The QAPC reviewed the final listing of the capital and maintenance list for the PennDOT Regional Transportation Projects. Mr. Vey stated it was mentioned that in regard to maintenance, specifically the longitudinal portion of Allentown Road where there are deep ditches, that it is not the responsibility of PennDOT to maintain and the maintenance falls on the municipality. Mr. Vey stated he has researched this in the past and has been unsuccessful in finding where it is stated that the maintenance is the responsibility of the township. Mr. Mininger stated at a PennDOT forum held at the PSATS conference, it was stated that the stormwater along a state road is the responsibility of the State unless the problem is caused by a Township. Mr. Courduff stated he questions how you are to work within a state right-of-way. Mr. Vey stated an application would need to be submitted and reviewed by PennDOT and a permit would need to be secured prior to work taking place. Mr. Courduff asked if we are insured to work within a state right-of-way and if there is an unforeseen issue is responsible. Mr. Vey stated that is another issue. Mr. Strunk stated it has always been the policy of the Township to not perform any work on a state road including drainage and pothole repair.

Milford Township Water Authority. Mr. Vey reported the Milford Township Water Authority Meeting Minutes of March 8, 2022, reflect the watermain extension for Millstone at Parkside. A request was made for relief from the cost of extending the watermain offsite.

Milford Trumbauersville Area Sewer Authority. Mr. Vey reported the Milford Trumbauersville Area Sewer Authority Meeting Minutes of March 21, 2022 reported that Bracalente Manufacturing Co. is proposing to build two 83,500 square foot

buildings and has requested a will serve letter from the Sewer Authority. The Authority approved a will serve letter. Mr. Courduff stated the Chapter 94 report from this past year indicates there is enough capacity for several years and this application requests an approval to re-rate the sewer plant, which raises the question why it is being done. Mr. Strunk stated as he understood it the Authority thought they had enough capacity. Mr. Vey stated it is noted they do not need to re-rate for capacity and he has seen the capacity allocation plan and corrective action plan and there are several outstanding items that may never happen. Mr. Vey stated the Sewer Authority has filed for renewal of the existing NPDES Permit.

Emergency Health Services 2021 Emergency Medical Services Report. Mr. Vey presented the 2021 Emergency Medical Report with respiratory distress, critical emergency transport, basic emergency transport, and traffic accidents being the top incidents on the list.

Haycock Township Request for Fire Police. A request has been received from Haycock Township requesting the assistance of Fire Police personnel for traffic control duties for the Steelman Triathlon, to be held on Sunday August 7, 2022 at Nockamixon State Park at 7:00 a.m. and the Independence Triathlon, to be held on Sunday May 15, 2022 at Nockamixon State Park at 6:45 a.m.

Mr. Strunk made a **MOTION** to approve the request made by Haycock Township for Fire Police Assistance on May 15, 2022 and August 7, 2022. The motion was seconded by Mr. Mininger and passed unanimously.

Borough of Sellersville Request for Fire Police. A request has been received from the Borough of Sellersville requesting the assistance of Fire Police personnel for traffic control duties for the Sellersville Fire Department Carnival, which is scheduled for Tuesday, July 12 through Saturday, July 16, 2022 from 6:00 p.m. to 11:00 p.m.

Mr. Strunk made a **MOTION** to approve the request made by Haycock Township for Fire Police Assistance on May 15, 2022 and August 7, 2022. The motion was seconded by Mr. Mininger and passed unanimously.

Reports:

Code Enforcement. Mr. Cordero presented the Code Enforcement Report for April 2022. A total of 23 permits were issued in April: 1 zoning permit, 8 residential renovation permits, 10 residential accessory permits, 3 commercial permits, and 1 residential addition permit. A total of 15 Use & Occupancy permits were issued and 10 fire inspections were performed. Three Zoning Hearing Board Applications were received. Mr. Courduff stated he is trying to understand the state audit report that was just received following a review of several commercial alteration permits. Mr. Courduff stated as he understands it a permit is applied for; the plans are then sent to the state for review and approval. Mr. Cordero stated in the past Milford Township did not perform its own accessibility and permits were sent to the state. With Milford Township utilizing a third-party inspection company we can keep the accessibility permits in house. The state requires a 5-year audit on accessibility permits. Mike Italia from Barry Isette went along on the audit inspection. Mr. Courduff stated the audit letter outlines deficiencies with no requirement to fix such deficiencies. Mr. Cordero stated that is correct, the letter serves as a training tool. Mr. Cordero stated some changes have been made to the permit applications as recommended by the state.

Public Works Department Reports. Mr. Winkler presented the Public Works Departmental Report for April 2022. Mr. Winkler reported the Public Works Department began the month installing certified playground mulch in and around all the playground equipment in the parks. Aluminum face boards were installed on the Unami Park pavilion and started work on the sandshell. Plows and salt spreaders were removed and put away for summer storage. Monster Tree Service removed large lead ash trees on Walnut Lane. Signs were installed on Walnut Lane to keep construction vehicles off the roadway. No truck signs were installed on Bauman Rd due to the problems we have been having. Mr. Courduff asked Mr. Winkler if the signs that were installed on Walnut Lane seem to be working. Mr. Winkler stated he has not received any complaints so far and no construction vehicles appear to be coming through. Mr. Courduff stated he has received several questions from the residents in the Doerr Road area, one of which is if there is an anticipated date for construction of the cul-de-sac on Doerr Road. The only information provided was the entire construction sequence to go beyond 2-years. Mr. Vey stated he will reach out to the Turnpike for the anticipated date.

Agricultural Security Area. Mr. Courduff presented the Agricultural Security Area meeting minutes of April 20, 2022. Several questions were raised regarding the proposed AG leases that are being put together. Essentially the committee recommended that the requirement of the Conservation Plan be completed by the Lessee, if necessary, as the current lessee knows the ground better than anybody and a Conservation Plan would need to be completed only if required by the Lessor. The second issue is the testing of the soil. It was felt that the current Lessee would know when to do the soil testing and what crop he/she would be planting. The soil testing would be done at the Lessee's option and cost. A lot of time was spent on preparing for AG Daze.

Milford Fire Company Report. Chief Butler presented the Fire Company Report for May 2022. A total of 34 calls were received. The body for the SS75 was approved and ordered and will hopefully be received by late 2022. More members have

attended Water Rescue classes. The Fire Company is looking into upgrading and adding to the water rescue equipment along with upgrading and replacing the gas meters. Mr. Courduff asked about the brush fire that took place on April 30, 2022. Chief Butler stated the wind, dry conditions, and wood pallets on the property contributed to the fire. Initially there were issues with water supply that were handled quickly. Mr. Courduff stated it sounded like water was being hauled all day. Mr. Cordero stated there were 15 tankers hauling water for 7 hours. Mr. Courduff stated between Trumbauersville Borough and Milford Township there have been a lot of brush fires. Chief Butler stated the fires are due to the dry conditions and lack of snow over the winter.

Trumbauersville Fire Company Report. Mr. Gerhardt, Deputy Chief of Trumbauersville Fire Company presented the monthly report. The Fire Company responded to 23 calls, 13 of which were calls to assist Milford Township. A new tanker has been ordered and will be delivered in June of 2023. Mr. Courduff stated he would like to commend the Trumbauersville Fire Company for excellent job done for the funeral ceremony afforded to Mrs. Mallery.

Manager Report: Mr. Vey stated the Sewer Ordinance have been reviewed and asked Mr. Cordero to report on the review. Mr. Cordero stated some changes have been made and distributed for review, no comments were received. Mr. Cordero stated there are two proposed ordinances. The first being an amendment to the use & occupancy to include the inspection of the sump pump not being hooked to the sewer lateral. The second is to allow inspections of sewer laterals if there is a problem noted. Mrs. Harper stated slight modifications have been made to the language. Mr. Cordero stated proper notification must be made. Mrs. Harper stated there were two questions, one was the removal of the televised inspection of the lateral which will read inspection of the lateral, and the other being the insertion of a penalty. Mr. Cordero stated he was in favor of the additional language that states if a problem is found with the system, and it is not repaired it would be disconnected from the system. Mr. Courduff stated he does not see how this can be done as the Department of Health would not allow it. Mrs. Harper stated a lien on the property would also be a possibility. Mr. Courduff questioned Mr. Cordero on the language found in the proposed amended ordinance, to require inspections for discharge of stormwater into the sanitary sewer system. Article makes mention of smoke detectors, house numbering system, and other unrelated items to the ordinance. Mr. Cordero stated items 1-3 are currently found in the ordinance and number (4) That no sump pump is connected to the sanitary sewer and/or discharging into the sanitary sewer is a proposed amendment to the ordinance. Mr. Courduff feels the amendment does not work with the title of the ordinance. Mrs. Harper stated the Authority is anxious that these Ordinance move forward. Mr. Vey asked what changes should be made to the ordinance at this time. Mrs. Harper stated the proposed ordinances must be advertised. Mr. Courduff suggested sitting with Mr. Cordero to discuss and revise the ordinance as necessary. Mr. Courduff stated the inspection of the sump pump at the time of the sale of the property is most suitable, a video of the lateral could be done at this time. A discussion was had on the equipment required to perform a video of the lateral. Mrs. Harper stated a query of local plumbers could be done to help determine the cost. Mr. Cordero stated he has a contact at the Montgomery Joint Authority and it is handled in house. A charge of \$150 is assessed at the time of the use & occupancy inspection. In speaking with Mr. Koenig the Authority does not have the man power or equipment to get it done. Mr. Courduff asked how many use & occupancy inspections are done in a month. Mr. Cordero stated an estimated 15 inspections are performed. Mr. Courduff stated a visual inspection could also be done at the time of a meter read. Inflow and infiltration does not come from a sump pump it comes from ground water, outside through the top or bottom of a pipe. Mrs. Harper asked what the next step should be. Mr. Courduff stated a meeting may be needed with the Authority to discuss exactly what is wanted. Mrs. Harper stated another question that must be answered is who takes and pays for the video. Courduff stated the video should be an option. The homeowner can hire a master plumber or have the Authority video and the equipment costs roughly \$1,000 to \$1,500. Mrs. Harper asked if the ordinance should be advertised at this time or continue to be worked on. Mr. Mininger asked if the amendment to Ordinance No. 85 requires a penalty. Mrs. Harper stated it does not as this is an amendment and if the homeowner did not pass the inspection a permit would not be issued. Mr. Strunk stated he is unsure what the purpose of the second ordinance is for. Mr. Cordero stated the ordinance covers prohibited discharges of stormwater, groundwater and illicit discharge into the sanitary sewer system and if a problem is found the ordinance requires repair to the lateral, along with required maintenance and such of grease traps. Mr. Mininger stated he would like to move forward with the amendment to Ordinance No. 85 at this time, to which Mr. Strunk agreed. Mrs. Harper stated the amendment to Ordinance No. 85 would be advertised for the June 7, 2022 Board of Supervisors Meeting.

Walnut Lane. Mr. Vey reported there is cause to potentially close Walnut Lane due to construction taking place for 2+ years. Mr. Johnson and Mr. Slotterback have been touching base with residents in the area. One item to be address is if a truck ignores our signs, how they get out. At this time we have not received any complaints regarding the need to close Walnut Lane but it may need to be revisited in the future. Mr. Courduff asked Mr. Winkler if school busses utilize Walnut Lane. Mr. Winkler stated he is unsure and would check with Levy Bus Company.

Sewage Facility Planning Module. A sewage facility planning module has been received for the property located at 1815 Bauman Road. The Applicant proposes to convert the existing barn into a dwelling, add a convenience toilet to the existing

table, and construct a new stable with a convenience toilet. Mr. Vey stated a farm unit allowing a second detached dwelling unit is permitted per the Zoning Ordinance so long as it is for the sole use of the property owner, immediate family members of the property owner and persons engaged in agricultural employment of the property. Mr. Courduff asked if the plan was part of a subdivision. Mr. Vey stated it is not and the proposal is for two single family dwelling units on one lot. Mr. Vey stated a letter will be sent to the applicant requesting the submission of a letter of intent of the property to ensure compliance with the Zoning Ordinance.

Trumbauersville Borough Barrell Run Trail. Mr. Vey reported Trumbauersville Borough is seeking a letter of support in their effort to secure a grant to help with the costs of installing a nature trail in an 8-acre plot of Borough owned open space. The trail will tie in nicely with the Barrell Run Trail portion of the Milford Township Trail System.

Mr. Strunk made a **MOTION** to issue a letter of support to Trumbauersville Borough in their effort to secure a grant for the proposed nature trail. The motion was seconded by Mr. Courduff and passed unanimously.

Public Safety Consultant Extension Request. Mr. Vey stated a request to extend the previously approved Public Safety Consultant Contract has been received. The contract is set to expire on June 30, 2022. A request has been made to extend the contract until September 1, 2022.

Mr. Courduff made a **MOTION** to approve the request made to extend the Public Safety Consultant Contract with Hannon Consulting through September 1, 2022. Mr. Mininger seconded the motion. The motion passed unanimously.

Public Comment: No public comment was received.

Adjournment:

Mr. Strunk announced that the Board of Supervisors will meet in executive session following the regular scheduled meeting of May 3, 2022 to discuss continuing litigation and real estate. With there being no further business

Mr. Courduff made a **MOTION** to adjourn the May 3, 2022 regular meeting of the Milford Township Board of Supervisors at 8:35 p.m.

Milford Township Board of Supervisors'
Minutes of June 7, 2022 Meeting

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; Catherine Harper, Township Solicitor; David Winkler, Public Works Department; Nathan Cordero, Code Enforcement; and Christopher Kletzing, IT Manager.

Call to Order: Chairman Strunk called the meeting of the Milford Township Board of Supervisors to order at 7:01 p.m.

Approval of Minutes: Mr. Courduff made a **MOTION** to approve the Meeting Minutes of May 3, 2022 as written. Mr. Strunk seconded the motion. The motion passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment and the Treasurer's Report of April 2022. The motion was seconded by Mr. Courduff and passed unanimously. Mr. Strunk announced the Township was awarded \$18,073 for their participation in the 2020 Joint Recycling Grant Program. Mr. Strunk announced the Township is in receipt of the final payment for the Rosenberger Road Low Volume Road project. The final payment includes the original project total of \$275,000 plus a \$55,000 amendment.

Announcements: Mr. Cordero announced the Zoning Hearing Board will meet on Tuesday, June 14, 2022 to hear the following applications; The application of John and Debra Henning for the property located at 1315 Kumry Road, TMP 23-001-101, in the RA Zoning District. The Applicant seeks a variance from Section 404.H2i to construct an accessory building 28 feet in height where 18 feet is permitted.

The application of Justin and Brittany Redfield for the property located at 104 N. Vassar Drive, TMP 23-010-149-018, in the RD Zoning District. The Applicant seeks a variance from Section 404.B1 and H3 to permit an accessory building with a 730 square foot accessory apartment where 650 square feet is permitted located 20 feet from the side property line where 25 feet is permitted and 30 feet from the rear yard property line where 50 feet is permitted.

Conditional Use: Mrs. Harper opened the Conditional Use Hearing for the Application of Del Markward, MVP 663 I, LLC, to construct 262 one and two-bedroom apartment units in six buildings and two retail buildings containing 6,000 square feet and 17,200 square feet in accordance with the Sixth Revised Master Plan for the Arterial Mixed-Use District. The hearing was advertised for June 7, 2022 at 7:00 p.m. Mrs. Harper stated a letter was received from the developer's attorney, James Preston, of Broughal DeVito, requesting a continuance to the Board of Supervisors September 6, 2022 agenda. This will allow the applicant enough time to perform the recommended traffic study. Mrs. Harper stated a request to waive the preliminary plan decision to September 30, 2022 has also been received.

Mrs. Harper asked if there was anybody present for the Conditional Use Application of Milford Village Section 1. No response was received. Mrs. Harper announced the hearing will be held on September 6, 2022. Mr. Strunk stated he would like the developer to have a little guidance on what the township would like to see in the traffic study. Mr. Vey stated the Township does have a definition of a traffic study and what should be considered, and the township has to approve the scope. Mr. Vey recommended a sit-down meeting to define the scope be scheduled. Mr. Vey asked the Board if a traffic engineer should be brought in to participate. Mr. Vey stated a review of the previously completed work should not be completed that the focus should be on the front end and the scope. The focus should be on Abby Lane and that intersection. Mrs. Harper stated the proposed use is an intense traffic use and recommended the traffic study include advice on the 663 triggers. The Board of Supervisors agreed that the hiring of traffic engineer would be done. With there being no further discussion Mrs. Harper closed the hearing at 7:12 p.m.

Land Development:

Milford Village Section 1W-Apartments, Route 663, TMP 23-010-175-001. Tabled

Milford Village Section 1E-Retail, Route 663, TMP 23-010-175-001. Tabled

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

J-Haul, Sketch Plan, 2075 Rosenberger Road, TMP 23-010-73. Ms. Augusta O'Neill and Mr. Matthew McHugh of Klehr Garrison Harvey Branzburg, and Mr. Kyle McGeorge of Langan Engineering were in attendance to present the proposed Sketch Plan for U-Haul. The applicant proposes to construct a 119,000 square foot 3-story building and a 1-story 11,000 square building with frontage on John Fries Highway. The plan proposes a self-storage facility and an automotive sales use. Mr. McGeorge stated the smaller building will be used for storage of portable storage boxes. The idea is to store several trucks and vans along John Fries Highway. The two main entrances are off Rosenberger Road. It is the intent to keep all traffic away from the residential parcels located behind the site. Two large stormwater facilities are proposed. Some variances will be required for the project to move forward, the size of the building for one. There are questions regarding zoning, whether variances will be sought or an amendment to the Zoning Ordinance would take place. Ms. O'Neill presented the current rendering of the building. It was stated that the rendering is in compliance with the ordinance. Ms. O'Neill stated they are looking for feedback and U-Haul is flexible. There are a

few operational items U-Haul would like to have as part of the development, two buildings, one for the storage of U-Boxes and the other for self storage units. U-Haul would like to park vehicles along Route 663. Signs are not typically installed as U-Haul tends to use their vehicles as advertisement. Ms. O'Neill stated the ordinance as written does not contemplate this type of application. Ms. O'Neill asked the Board for any questions or feedback. Mr. Courduff asked Mr. Andersen what a conceptual stormwater management practice area is. Mr. McGeorge stated this is the area where the stormwater facilities would be installed following further testing. Mr. Andersen asked if any soil investigation has occurred yet. Mr. McGeorge stated it has not and a detailed design would occur after the issues with zoning have been worked out. Mrs. Harper stated the applicant would need a lot of variances if the use was found favorable or a text change to the Zoning Ordinance would need to occur. Ms. O'Neil asked if the Board would be more favorable of a zoning amendment or the applicant pursuing the relief needed with the Zoning Hearing Board. Mr. Courduff stated the township does have a Zoning Hearing Board and a variance should go before the Zoning Hearing Board. Mrs. Harper stated the worry here is that the hardships may be considered self-created. Mr. Courduff stated the change in zoning is a significant change. Mr. Vey stated a discussion was had with the Planning Commission and it was noted how times have changed in regard to self-storage. If zoning relief is sought it is hard to argue there is a denial of reasonable use. Zoning changes need to be looked at to see if it is good for our community. Mr. Vey stated the rendering of the building should address the ordinance. The lining up of the U-Haul trucks along Route 663 is a violation of the sign ordinance as no truck is to be used as a sign along with the architectural design standards that states outdoor storage should be screened from view. Mr. Vey stated the intent of the township is not to stop any branding of the business just to tone it down. Mr. Vey noted the buffering is also important. On the Milford Square Pike side of the site there are strips of land that were deeded in fee simple to the Crossing with the intent to give the HOA control over what would have to be looked at across the street. Mr. Vey stated he has been in contact with the HOA and they seem to be very amenable to working with U-Haul. Mrs. Harper stated with a zoning change the closest affected neighbors should be considered. Mr. Vey asked the Board if the basic intent and concept is amenable. Mr. Strunk stated it is more appropriate for a zoning change versus appearing before the zoning hearing board and asked what variances are needed. Ms. O'Neill stated a height variance and the size of the building. Mr. Vey stated anything that relates to parking of vehicles and signs should also be addressed. Ms. O'Neil stated U-Haul would like to have 2 or 3 trucks parked along Route 663 for visibility purposes. Mr. Vey stated that could become an enforcement issue for the Township. Mr. Mininger stated toning down the parking of trucks could possibly be toned down, maybe limiting the size and number. Mr. Andersen asked what the purpose of the 20 plus odd parking spaces are for and stated the circulation seems a little difficult to maneuver, some spaces are angled one way and others the opposite way. Mr. McGeorge stated that will be addressed with the plan revision. Mr. Strunk stated the Board would meet on the third Tuesday of the month to discuss the course of action. Mr. Courduff asked if we are contemplating a change of zoning or a variance. Mr. Strunk stated it would be one or the other. Mr. Courduff stated that is a significant increase in building footprint and in height. Mrs. Harper stated a text change would apply to all properties in the PC Zoning District. Mr. Strunk stated a meeting will be held on June 21, 2022 to discuss further.

Millstone at Parkside, Final Plan of Subdivision, Foulkes 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 representing the proposal. Mr. Caracausa stated this meeting is a continuation from last month's meeting where the resolution was discussed. Mr. Caracausa stated he has reviewed the draft and offers some minor changes/suggestions. Mrs. Harper stated Mr. Caracausa would like clarification of the Clemons letter review letter, number 14 states prior to the dedication of the improvements of the subdivision, Developer shall contribute the sum of \$25,000.00 per basin for a total of \$50,000 to the Milford Township Open Space Maintenance Fund as an endowment for the maintenance of the open space including the proposed detention basins, clear sight triangles and drainage facilities on the property. Mrs. Harper stated the new resolution states unless changed herein everything that was found in the preliminary approval is carried onward. Mr. Caracausa stated he is looking for clarification as the township is taking dedication of one of the open space lots and the homeowners association the other and feels the contribution should be \$25,000.00. Mrs. Harper stated if you look at #3 and #4 on the revised resolution, the applicant agrees to contribute the sum of \$25,000.00 to Milford Township for maintenance of the storm water facility, together with an additional \$25,000.00 to the Milford Township Open Space Fund for future care of lot #32. Mrs. Harper stated also included in comment #3 is that the homeowner's association is to have \$25,000.00 in its treasury before the 20th house is built and occupied for maintenance of the stormwater facilities on its property. Mrs. Harper asked if the \$25,000.00 for the stormwater fund for the rain garden at the bottom of the open space plus \$25,000 for open space is in lieu of #14 in the preliminary approval. Is the new resolution what we want in total, \$50,000.00. Mr. Courduff stated as he understood it Mr. Caracausa was to contribute \$50,000.00. Mr. Caracausa stated #14 on the previous approval letter is very specific when it states the township was going to take dedication of both basins. Mr. Caracausa stated the original \$50,000.00 is still in play, \$25,000.00 to the township for the basin, and \$25,000.00 to the HOA for maintenance of the other basin. Mrs. Harper noted number four on the resolution states \$25,000.00 is to go to the township for the maintenance of the basin and \$25,000.00 to the Open Space Fund, both of which go to the township. Mr. Caracausa stated that is not how he understood it. Mr. Caracausa stated he will defer to the Board. Mr. Courduff stated his view is the contribution is \$50,000.00 to the township, and another \$25,000.00 to the HOA. Mrs. Harper stated the resolution will stay the same with a minor change to include in lieu of #14. Mr. Caracausa stated he is looking for clarification on placing a berm in front of the rain garden. A berm cannot be placed in front of the rain garden and should actually be placed in front of the boulder. Mr. Caracausa stated the resolution stated the boulder should be removed and if it is not possible then a berm was to be installed. The resolution stated the

boulders should be removed 2 feet below grade and he is requesting the boulder be removed to grade. Mrs. Harper stated there is concern that the kids coming down the sledding hill could hit the boulder. Mr. Andersen stated he is trying to be cautious, there could be issues with erosion and so on. Mr. Andersen stated the resolution could be amended to state the boulder is to be removed 1 foot below grade. Mr. Strunk stated he does not want the language changed and it should be left as is. Mrs. Harper stated the amendments would be made to the resolution and a clean copy issued for review and execution.

Mr. Courduff made a **MOTION** to approve **Resolution 2022-15**, Granting Final Subdivision and Land Development approval with conditions to the development known as Millstone at Parkside, located at Foulkes Mill and Allentown Road. Mr. Mininger seconded the motion. The motion passed unanimously.

Construction Cost Estimate, Nappen & Associates, Naplin 2, AM Drive, TMP 23-002-150-002. Mr. Andersen, Township Engineer, has submitted for review a revised construction cost estimate for the Naplin 2 project. The original cost estimate was prepared in 2019. The current construction cost estimate reflects an overall increase of 9% with a separate cash escrow to cover inspections, administration and legal.

Mr. Strunk made a **MOTION** to approve the revised Construction Cost Estimate prepared by Andersen Engineering Inc. for Nappen & Associates, Naplin 2, AM Drive, TMP 23-002-150-002. The motion was seconded by Mr. Courduff and passed unanimously.

Other Business:

Letter of Intent, 1815 Bauman Road, Sewage Facilities Planning Module. Mr. Scott Emerson, property owner, presented a letter of intent for the property located at 1815 Bauman Road. Mr. Emerson is in the process of submitting a Sewage Facility Planning Module. As part of the Planning Module a review of the zoning was performed. Mr. Emerson stated the property will remain as its current intended use, a farm and horse development facility. The 15-acres of agricultural use will continue with Matt Mood from Windy Springs Farm. The existing farmhouse will be renovated and occupied by the farm and horse manager. The renovations will be interior renovations. The existing barn will be converted to single-family residence and will be occupied by the primary family only. A Demolition Permit has been obtained and a building permit application will be submitted once final plans are complete. The existing 16-stall horse stables will be cleaned up and resided with wood. The chicken coop and detached garage will be rebuilt and renovated to their original configuration. The septic system will be upgraded, and an easement access road installed. Mr. Cordero stated the proposed use is compliance with the Zoning Ordinance.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2022-16**, Sewage Facility Planning Module for the property located at 1815 Bauman Road, TMP 23-002-136. Mr. Courduff seconded the motion. The motion passed unanimously.

SCAD Research Fundraiser. Mrs. Jill Kelly McComsey is proposing to host a fundraiser to raise money to support research into causes and best treatments for heart attacks caused by spontaneous coronary artery dissection or SCAD. Mrs. McComsey requests the use of Molasses Creek Park on October 1, 2022 along with the use of the large and small pavilions to host a luncheon following the walk. Mr. Courduff asked Mrs. McComsey if a certificate of insurance would be provided to the Township for the event. Mrs. McComsey stated there would be no problem supplying a certificate of insurance. Mr. Vey recommended that the fees for the rental of the pavilions be waived. Any issues related to parking will be discussed with the Milford Township Volunteer Fire Company.

Mr. Strunk made a **MOTION** to approve the SCAD Research, Inc. SCADaddle Walk at Molasses Creek Park Saturday, October 1, 2022 along with waiving the park rental fees. The motion was seconded by Mr. Courduff and passed unanimously.

Perkiomen Act 167 Stormwater Planning. Ms. Crystal Gilchrist was in attendance to discuss the Perkiomen Stormwater initiative, a response to reoccurring flooding in the Perkiomen Creek Watershed. Ms. Gilchrist stated she has been trying to move forward with corrective actions. This is a personal effort on her part. The Perkiomen Creek Watershed consists of 362 square miles, 15 municipalities, 4 counties and is 37.7 miles long. The main tributaries include the Skippack Creek, East Branch, Unami Creek, Upper Perkiomen, West Branch Perkiomen, and Swamp Creek. The United States Geologic Service has gauges located throughout the country. Ms. Gilchrist presented data for the gauge located at Perkiomen Creek at Graterford, PA. Data shows since 2000 the flood stage has been topped numerous times sometimes multiple times in a year. Hurricane IDA topped out the gauge at more than 70,000 cubic feet per second, which is equal to 4,200,000 lbs. of water passing the gauge every second. Impacts of flooding include personal loss of homes and family belongings, recurring financial loss to businesses, recurring costs to replace and repair infrastructure, loss of life and risks to First Responders, loss of property value in impacted areas, and increased water pollution. Flooding is no longer limited to the lower end of the Perkiomen Watershed. Ms. Gilchrist stated Act 167 of 1978 was enacted to provide for the regulation of land and water use for flood control and stormwater management purposes, imposing duties and conferring powers on the Department of Environmental Resources, municipalities, and counties, providing for enforcement, and making appropriations. Several municipalities have enacted an Act 167 Plan, however none have been done for the whole Perkiomen Watershed. To understand how flooding is going to work you have to look at the whole watershed. Ms. Gilchrist stated Act 167 should be enacted now as extreme storms are predicted to continue, and possibly get worse as the climate warms and development throughout the watershed continues to increase stormwater runoff. Ms. Gilchrist noted the Perkiomen Creek is a large watershed located within four counties and Act 167 planning was never conducted for the entire watershed. An Act 167 Plan would provide the guidance for all reaches of the watershed to help mitigate extreme rainstorms and help ensure that stormwater mitigation efforts are coordinated across municipal boundaries for regional effectiveness and would engage PA DEP and the four counties in

planning, permitting and funding stormwater mitigation efforts. Ms. Gilchrist stated she is looking for a letter of support from Milford Township to begin Act 167 planning for the entire Perkiomen Creek Watershed. Ms. Gilchrist she will be reaching out to all the effected municipalities as well as the County Commissioners.

Mr. Courduff made a **MOTION** to issue a letter of support to Ms. Gilchrist for Milford Township's support of the Act 167 Stormwater Planning for the Perkiomen Creek Watershed. Mr. Strunk seconded the motion. The motion passed unanimously.

Correspondence:

Bucks County Airport Authority. Mr. Mininger presented the April 2022 minutes of the Bucks County Airport Authority. Mr. Mininger stated bids are in for the terminal building at Quakertown Airport and Doylestown Airport will begin installing a new runway.

Quakertown Area Planning Committee. Mr. Vey stated the Quakertown Area Planning Committee 2021 Annual Report is available for review. The report covers traffic improvements along with Resolutions passed by PennDOT.

Milford Trumbauersville Area Sewer Authority. Mr. Vey reported the Milford Trumbauersville Area Sewer Authority Meeting Minutes of April 18, 2022. The Act 537 plan update is being discussed and the sewer district is being looked at. The 537 Plan update will primarily revolve around the sewerage district, connection allocation, corrective action plan and capacity issues.

Reports:

Code Enforcement. Mr. Cordero presented the Code Enforcement Report for May 2022. A total of 16 permits were issued in May: 3 zoning permits, 5 residential renovation permits, 5 residential accessory permits, and 1 single family dwelling. A total of 13 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 May 2022. Mr. Winkler reported AMS was out to oil and chip Canary and Old Plains Road. The Public Works crew used the AMS road sealer truck for two days to chip various roads in the Township. The flower beds at the Airbnb were weeded and mulched. Clean up started on the Bast property and the crew continued work on the band shell. Shoulder repairs were done on Hieter Road.

Park Board. Mr. Vey presented the Park Board Meeting Minutes of May 11, 2022. Mr. Vey stated the disc golf course at Unami Creek Park will have all tee pads replaced. Mr. Vey noted the board walked the Bunn Tract to explore the placement of a trail. The Park Board made a motion to develop an approximately ½ mile long unpaved loop trail at the Bunn Tract with a four-car parking lot placed at the existing driveway entrance on Upper Ridge Road. Mr. Courduff asked Mr. Winkler if agrees with the placement of the parking lot. Mr. Winkler stated the parking area will be large enough for vehicles to turn around and he saw no problems.

Milford Fire Company Report. Ryan Hunsicker presented the Fire Company Report for May 2022. A total of 22 calls were received. Mr. Hunsicker stated prepping for the carnival has begun. The Fire Company is still waiting to hear when the vehicle replacement for the SS75 chassis and Deputy's truck will be ready.

Trumbauersville Fire Company Report. Mr. Strunk stated the Trumbauersville Fire Company written report for May 2022 has been received and is available for review.

Manager Report: Mr. Vey stated a meeting was held with the township and the Sewer Authority to discuss the proposed Sewer Ordinance. Mr. Harry Koenig was in attendance to discuss the proposed changes. Mr. Koenig stated he feels the necessary changes were made. Mr. Cordero stated one of the changes included the addition that "No sump pump is connected to the sanitary sewer and/or discharging into the sanitary sewer. If the sump pump discharge cannot be verified, a dye test shall be performed by the Milford Trumbauersville Area Sewer Authority to verify that there is no connection to the sanitary sewer. This change was made in lieu of performing a lateral video inspection. Mr. Courduff stated the dye test would be done with probable cause. Mr. Mininger stated he does not necessarily agree with the word shall, a dye test shall be done or the added cost to the homeowner. Mr. Koenig stated the dye test is a simple test and there is no cost associated with the test.

Mr. Strunk made a **MOTION** to authorize the advertisement of **Ordinance 179**, An Ordinance Amending Ordinance No. 85 to Require Inspections For Discharge of Stormwater Into the Sanitary Sewer System, and **Ordinance 180**, to Prohibit the Discharge of Stormwater, Groundwater and Illicit Discharge into the Sanitary Sewer System; to Provide Standards to Prevent Such Discharge; to Provide Authority for Sewer lateral Inspections by The Milford Trumbauersville Area Sewer Authority; to Require repairs to Defective Laterals by Property Owners; to Establish Maintenance Standards; and to Require Grease Interceptors Where Grease Laden Waste is Generated and to Prohibit any Discharges Which Interfere with the Operation of the Sanitary Sewer System. The motion was seconded by Mr. Mininger and passed unanimously.

Walnut Lane. Mr. Vey stated due to the Turnpike widening project construction vehicles have been utilizing Walnut Lane. There is an indication that residents on Walnut Lane would like the road to be closed. Mr. Vey stated there may be issues with a suitable place to turn around if needed. Discussions have been had regarding emergency response. Mr. Courduff asked Mr. Vey if school busses utilize Walnut Lane. Mr. Vey stated he does not believe so. Mr. Winkler noted he called Levy Bus Company and there are currently no busses that use Walnut Lane. Mr. Courduff asked Mr. Vey what it is the residents on Walnut Lane are requesting. Mr. Vey stated he feels a barricade on one end, allowing enough room for a construction vehicle to turn around, and a "No Outlet" sign

he other end could be feasible. Mrs. Harper asked if the Township was looking to vacate the road. Mr. Vey stated we are not just a temporary closure of the last 600-1,000 feet to deter the intermittent traffic.

Mrs. Dan Johnson of Walnut Lane stated the traffic from the Turnpike construction is not intermittent. There is a steady stream of work trucks and heavy equipment on one of the narrowest streets in the township where at some points you can't fit two cars through. Traffic has increased with the vacating of Doerr Road and Walnut Lane cannot bear that type of traffic. There have been issues with speeding vehicles as well.

Mrs. Harper asked if Milford Township received Liquid Fuels funds for Walnut Lane, to which Mr. Vey stated yes. Mrs. Harper stated there may be an issue restricting truck traffic. If Walnut Lane is removed from the Liquid Fuels list funding will not be received for the road improvements. Mrs. Harper asked if a bridge was located on Walnut Lane. Mr. Johnson stated there is. The road was closed once before in the 90's with no issues with emergency access or turn arounds. It has been requested that the speed limit be reduced to 15 mph. Mr. Mininger asked what the speed limit was currently, it was stated the speed limit is posted at 30 mph. It was stated with no enforcement people will drive as fast as they want. Mr. Johnson stated closing the road at one end is favorable for the duration of construction. Mr. Harper stated research for need of an ordinance for the temporary nature of the request should be done. Several of the residents of Walnut Lane are in favor the road being permanently closed. It was stated that once the construction is complete traffic will increase. Ms. Harrar of 1725 Walnut Lane voiced concerns with the blind curves and the terrible sight lines. Ms. Harrar stated the surface under Walnut Lane is not good. Ms. Bittner of Walnut Lane requests a speed box be installed. Mr. Mininger asked if anyone on Walnut Lane is interested in vacating the road. Mr. Johnson stated no. The road was a dirt road up until the 90's. The residents of Walnut Lane pay taxes just like everyone else and want the lane to remain. Mr. Vey stated a further discussion on the matter would be had at the next Board of Supervisors meeting scheduled to take place on June 11, 2022. Mr. Vey stated he would reach out to Trumbull, construction company for the Turnpike project, and to the Turnpike for their participation at the meeting.

Large Format Printer. Mr. Kletzing seeks approval for the purchase of a large format printer/scanner from Richter Office Supply for \$9,245.00. The purchase would allow the current paper files to be scanned in and stored digitally as well as printing capabilities. Mr. Strunk stated signs and banners could be printed out as well.

Mr. Strunk made a **MOTION** to approve the purchase of a Canon Digital Printer/Scanner from Richter Total Office for \$9,245.00. Mr. Mininger seconded the motion. The motion passed unanimously.

Digital Data Storage. Mr. Kletzing stated the digital data storage currently used was discontinued in 2018. Mr. Kletzing said the system is still holding up, however; there are concerns if it should crash. Mr. Kletzing stated he would like authorization to purchase a Drop Box storage type system for an estimated \$1,200 year. The files are stored off site. The storage is HIPPA compliant and very secure. Mr. Courduff asked what would happen with the current data. Mr. Kletzing said it could be moved over to the new storage system.

Mr. Strunk made a **MOTION** to approve the purchase of the digital data storage unit for \$1,200.00 per year. Mr. Courduff seconded the motion. The motion passed unanimously.

Water Tower Line of Sight. Mr. Kletzing presented the Board information regarding the installation of antenna on the water tower located behind the Township Building. Line of Sight internet provides an over-the-air internet connection to buildings that have a clear line of sight to a dedicated mast. This means no underground cables, quicker installation times and lower latency. The Township Building will have an antenna directed to the water tower. The water tower still have multiple small antennas that will broadcast the signal in the direction it faces. The antennas can broadcast 10 miles of service. Mr. Courduff asked Mr. Kletzing what the purchase price would be. Mr. Kletzing stated one quote has been obtained so far. For the purchase of two antennas with related equipment the price is \$7,500.00. Mr. Kletzing stated the quote obtained is a partial quote at this time. Mr. Strunk stated he would like the price for cameras to be installed at the Park & Ride as well. Mr. Vey stated a quote should also be obtained for a power supply for the cameras at the Park & Ride.

Ordinance 181 Residential Disclosure Amendment. Mr. Vey seeks approval to advertise Ordinance 118, An Ordinance Requiring Sellers of New Residential Property to Display the Final Approved Subdivision Plan, to Specifically Show This Plan to All Prospective Buyers, To Secure a Statement From Prospective Buyers That They Have Seen and Reviewed the Final Approved Subdivision Plan; Requiring the Seller to Present to Prospective Buyers a Plan for the Lot being Purchased and a Disclosure Statement; and Requiring the Seller of Existing Residential Property to Provide a Disclosure Statement.

Mr. Strunk made a **MOTION** to authorize the advertisement of **Ordinance No. 181**, Residential Disclosure Statement. The motion was seconded by Mr. Mininger and passed unanimously.

Escrow Release:

Thomas Barndt of 2007 Portzer Road requests the release of \$3,000 held in escrow following the approval of a Subdivision in December of 1989. Mr. Vey stated as a condition of the Subdivision approval sidewalks were to be installed which has not been accomplished to date. Mr. Barndt stated PennDOT did not want the sidewalks installed along a State Road. Mr. Strunk stated as a condition of approval sidewalks were to be installed and the escrow would not be released.

Mr. Strunk made a **MOTION** to approve the Construction Escrow Release request, Release No. 7, for LifeQuest Nursing Center for the Mill Hill Road East Extension and Dolores Drive Project located along John Fries Highway, in the amount of \$60,750.00. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Strunk made a **MOTION** to approve the Construction Escrow Release request, Release No. 8, for LifeQuest Nursing Center for the Mill Hill Road East Extension and Dolores Drive Project located along John Fries Highway, in the amount of \$93,952.80. The motion was seconded by Mr. Courduff and passed unanimously.

Public Comment: Mr. Dougherty of Lucky Lane offered a thank you to Mrs. Harper for the letter that was sent to the Homeowners Association. Mr. Dougherty asked Mrs. Harper if it would be okay for him to contact her for a follow-up as he cannot contact the HOA. Mrs. Harper asked if this was regarding the open space at Oak Run. Mr. Dougherty stated it does. Mrs. Harper stated the Association has certain rights as well as state laws. It is recommended the Association hire an attorney. Mr. Dougherty stated there are still issues with flood lights being directed in his windows who should be policing this type of issue. Mr. Dougherty would like to get the president of the HOA to come to the next meeting to discuss. Mrs. Harper stated the Board of Supervisors do not have the power to force someone to come to a Public Meeting. Mr. Strunk stated Mr. Dougherty is not to contact the Township Solicitor outside of the Public Meeting.

Mr. Vey stated he has received a review from PennDOT of the modified trumpet design of the Quakertown Interchange. It appears they are moving away from the Diverging Diamond.

Adjournment:

Mr. Vey stated the Board will meet in executive session following the regular scheduled meeting to discuss potential litigation.

With there being no further business Mr. Courduff made a **MOTION** to adjourn the June 7, 2022 regular meeting of the Milford Township Board of Supervisors at 9:51 p.m.

Milford Township Board of Supervisors'
Minutes of June 21, 2022 Meeting

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; Catherine Harper, Township Solicitor; David Winkler, Public Works Department; Nathan Cordero, Code Enforcement; and Chris Keltzing, IT Manager.

Call to Order: Mr. Courduff, Vice Chair called the meeting of the Milford Township Board of Supervisors to order at 7:00 a.m.

Land Development:

U-Haul, Sketch Plan, 2075 Rosenberger Road, TMP 23-010-73. Ms. Augusta O'Neill and Mr. Matthew McHugh of Klehr Harrison Harvey Branzburg, and Mr. Kyle McGeorge of Langan Engineering were in attendance to represent U-Haul. Mr. Vey stated U-Haul proposal came into the township as a Sketch Plan. There were major concerns on how to proceed as zoning does not permit the use. One would be to appearing before the Zoning Hearing Board or a zoning change to allow the use. Other areas of concern are the aesthetics of the building and the vehicle location, five different size trucks to be parked along Route 663. Capital Improvements are another area of concern.

The intent at this stage is to finalize the provisions of the proposed zoning change. Mr. Vey stated the use is proposed as a use allowed by Conditional Use approval. Ms. O'Neill stated the proposed zoning amendment has been tailored to this specific site and U-Haul is looking to get the plan through as quickly as possible. Mr. Vey stated the parcels in the PI and PC district have been reviewed and there are a few parcels that the use can fit on. Mr. McHugh stated the storage use found in the current zoning ordinance is that of the older style self-storage units, with the roll top style doors. The use being proposed today is a new use, a fully contained storage facility within an enclosed building. Mrs. Harper stated there are two items she is reviewing, traffic improvements and landscaping. Mr. Vey stated there are landscaping requirements within the junk yard use and outdoor storage use that will be looked at and utilized for the new proposed use. The sign regulations have been reviewed as well. Mrs. Harper reminded the board that if the zoning is changed to permit the use the township is changing the ordinance for the entire zoning district. Mr. Courduff inquired as to the dimensional variances of the building, height, footprint. Mr. McHugh stated the original ordinance has a height restriction of twelve feet. The proposed amendment allows for a height up to 40' which is consistent with the zoning district. Mr. Courduff asked if the height included the mechanics and arcade located on the roof. Mr. McHugh stated it is a maximum height of 40' which would include all components. Mrs. Harper stated the amendment should be reviewed by the Fire Marshal to ensure the appropriateness of the proposed building height regulation. Mr. Vey stated any height regulations could be dealt with at the time of the Conditional Use Hearing. Mrs. Harper agreed. Mr. Courduff asked Mr. Andersen if he saw any issues with the impervious surface. Mrs. O'Neill stated the proposal is compliant with the dimensional requirements in the underlying zoning district. Mr. Andersen stated the applicant must find a suitable location for the stormwater management. Mrs. Harper asked the applicant if an underground stormwater facility is proposed. Mr. McGeorge stated at this time the stormwater facilities are shown above ground and infiltration testing will be completed prior to full land development. Mrs. Harper requested the text amendment be forwarded to her for her review. Mr. Courduff stated he hopes allowing five trucks to be located along Route 663 does not become an enforcement issue to which Mrs. Harper stated one of the benefits is the site is extremely visible from the street.

Mr. Vey recommended a meeting be held to discuss revisions to the sketch plan and the Crossings HOA be brought in to discuss the buffering of the site. Mr. Vey stated the HOA is willing to offer the buffer fee simple. Mrs. O'Neill stated she had a meeting with the President of the HOA last week and the HOA is in favor of the proposal. Mrs. Harper asked if the piece of land was required open space for the Crossings and if there was an easement located on it. Mr. Vey stated he is unsure and the Record Plan would be reviewed. Mr. Courduff stated the HOA does not maintain the piece of ground, the previous owner does. Mr. Courduff asked if there was any public comment regarding the U-Haul proposal. No public comment was received.

Other Business:

Walnut Lane Road Closure. Mr. Courduff welcomed Chief Cressman from the Trumbauersville Fire Company to express concerns on the closing of Walnut Lane. Mr. Courduff stated the Township has received a letter dated June 20, 2022 from the Trumbauersville Fire Company regarding the proposed closure of Walnut Lane which contains substantial issues. Chief Cressman stated Trumbauersville Fire Company has concerns with the closure of Walnut Lane and an increase in response time that will occur if there is a closure of Walnut Lane. The response time will increase by approximately 3 minutes due to the Fire Company having to utilize Trumbauersville Road or down to Canary Road. The response time of EMS will be affected as well. Access is a big issue with the road only being 15' wide and in some portions only 13' wide making it difficult if not impossible to pass a vehicle let alone a fire truck. Chief Cressman expressed concerns regarding water in the area as it is a non-hydrant area. Five-inch hose would have to be laid from Canary Road and for every 1,000 feet placed an

additional engine would have to be added to relay water in order to maintain 1,000 to 1,500 GPM. If a porta pond is placed at the intersection of Canary and Walnut, the intersection would need to be closed and no other apparatus or ambulance would be able to get in or out. Chief Cressman also has concerns with vegetation, if a tree were to come down during a storm and block the road there would be no way in or out causing a delay in response if an emergency is present. With the manpower issues facing the fire service during the day, getting the extra pieces of apparatus will take time to get on location. With the closing of Doerr Road there would be no cut through for water shuttle if an incident occurred on Canary Road as Canary Road does not have access to water either. Chief Cressman stated the closure of Walnut Lane would delay response time and put residents' safety in jeopardy. It could also have an effect on the ISO rating for the area which could cause the homeowners insurance to go up. Per the International Fire Code the maximum distance allowed for a dead-end road is 750' and if there is, or is possible to have, 30 or more dwelling units along the roadway two access points are mandatory. Mr. Courduff asked Chief Cressman how much of a difference there in responding volunteer members during the day vs. the evening/nighttime hours. Chief Cressman stated there is a big difference, they are lucky to have ten people respond during the daytime hours. In the surrounding area there is a 1-truck guarantee per station. At this time Mr. Courduff asked for public comment.

Mr. Dan Johnson of Walnut Lane stated a meeting was had last week with himself, Mr. Vey, Mr. Winkler, and Mr. Valentine to discuss these issues. Mr. Johnson stated at the meeting it was asked how these issues were dealt with when Doerr Road was closed. Mr. Johnson said it was stated that a gate would be installed on the Turnpike to access Doerr Road. Mr. Johnson asked Chief Cressman if his opinion of the closing of Walnut Lane would be changed if a gate was installed on Kumry Road. Mr. Courduff asked Mr. Johnson if he is suggesting closing Walnut Lane, to which Mr. Johnson replied he is suggesting putting a gate at the end of Walnut Lane at Kumry Road. Mr. Courduff asked who would have access to Walnut Lane. Mr. Johnson stated emergency vehicles only. Mr. Courduff asked Mrs. Harper if the Liquid Fuels funds issued to the Township would be affected if Walnut Lane were closed. Mrs. Harper stated it would and Walnut Lane would need to be removed from the total miles of roadway reported to the State. Mr. Johnson stated by his calculations that would be a reduction of \$4,500.00. Mr. Courduff asked Mr. Johnson if he anticipates the other taxpayers of Milford Township making up the difference. Mr. Courduff said the Township is not willing to make the road private. Mr. Johnson stated they are not asking for the road to be vacated and asked if the Township has closed other roads in the township, like Mill Road, Mill Hill Road, and Doerr Road. Mr. Courduff stated these roads are still open to the public. Mr. Slotterbach of Walnut Lane asked how the Fire Company handled the water issues with the other roads that were closed. Mr. Cordero stated Mill Road has fire hydrants. Mr. Slotterbach asked if the creek water could be used for a fire. Mr. Cordero stated the creek is too shallow and not a reliable water source. Mr. Johnson said if Walnut Lane is open at Canary with an emergency access gate at Kumry then nothing changes, emergency vehicles will have full access and it is a moot issue. Mr. Cordero asked who would have keys for the gate and who would maintain the gated area and what would happen if someone parked in front of the gate. Mr. Johnson asked who has keys to the turnpike gate? Mr. Cordero stated a chain lock will be installed and keys will be provided to which Mr. Johnson said they will replicate.

Mr. Courduff welcomed Mr. Jake Kennedy of Trumbull, contractor for the turnpike expansion project and Mr. Alan Williamson of the PA Turnpike. Mr. Kennedy reported Trumbull had mobilized equipment in March of this year. Since then, they have noticed an increase in traffic volume on Walnut Lane. A conversation was had with their employees, and they were told not to use Walnut Lane. Signage was then installed on Walnut Lane restricting traffic through Walnut Lane, two signs on the northeast side of Walnut closest to Kumry Road, and signs have been ordered for no construction vehicle access beyond this point. The last step is to get a radar speed display time installed to help maintain the speed on Walnut. Traffic counts were done today. Vehicles were counted in each direction, from 6:30 a.m. to 9:30 a.m. a total of 37 cars were counted, 10 headed northeast and 27 southwest. Half of the vehicles were within the first hour which is figured to be morning commuters, out of half of the 37, 7 vehicles were construction vehicles that parked on the shoulder. Mr. Kennedy stated he feels like some of the efforts are paying off and completely understands residents' concerns and will continue to take the concerns seriously. Mr. Courduff asked if GPS apps could be part of the problem. Mr. Kennedy stated he does feel that is part of the issue and is unsure how to redirect traffic on these apps. Mr. Courduff asked Mr. Kennedy if he would suggest a reduction in traffic speed from 30 mph down to 25 mph on Walnut Lane. Mr. Kennedy stated he would and feels anything would help. Mr. Johnson said there is no enforcement in the Township and is concerned with speeding vehicles and the increase in thru traffic and feels lowering the speed limit will not change a driver's behavior. Mr. Vey noted the data was pulled from the speed radar which showed the eastbound traffic with the highest volume and an average speed of 20.2 mph. Further data showed 17 vehicles out of 176 had a speed of 30-35 mph, 2 vehicles at 36-40 mph and 2 vehicles at 41-45 mph. Mr. Courduff asked if there were any more comments, hearing none, Mr. Courduff welcomed Mr. Alan Williamson of the Pennsylvania Turnpike Commission. Mr. Williamson spoke of the construction sequence and possible impact on Milford Township. Mr. Williamson stated the project is considered a total reconstruction which entails taking the turnpike down to original ground level, building it back up with newer technologies and design elements to improve the foundation of the road. The road will also be widened to help accommodate the increase in traffic. The widened template will create 3-lanes of travel with a safe haven on the medial side, a center lane, and a 12' right hand shoulder. Mr. Williamson stated the construction will take an estimated 3 years to complete.

Trumbull is currently working on the outside of the new template, widening bridges as well as culverts for stream passages and widening embankments. Once the outside stage is complete traffic will be shifted out onto the new pavement and the middle stage will begin. Mr. Courduff asked Mr. Williamson if he could explain why it was so important for Milford Township to vacate Doerr Road and change the angle of the slope on the side of the turnpike. Mr. Williamson stated in looking at the map he said the length of Doerr Road being vacated is impacted by the widening of the project. Doerr Road was required to be shut down as there is no way to shift or rearrange the turnpike as the length is a long straight piece of geometry. Curves would have been needed to be introduced or other geometrical features which would have increased the impact to residence in the township as well as a large impact increase to environmental resources.

Mr. Courduff asked Mr. Winkler if he had any comments. Mr. Winkler stated the biggest unknown is if it is legal to close a road with a gate and he feels a gate will not solve the problem. Mr. Winkler stated he spoke to Mr. Wolf and was advised that in Pennsylvania you cannot close a road with a gate. The other concern is how a garbage truck will access the residences on Walnut. Mr. Winkler stated a cul-de-sac would be required to be installed for trucks to be able to turn around, which is a great expense. Mr. Winkler said there will be winter maintenance issues as well, the road will need to be plowed and the gate shoveled and kept clear.

Mr. Vey stated he is looking into getting permanent radar signs and has found there is currently a 3-to-4 week lead time. Mr. Vey stated the township will be looking into the issues with GPS apps as well. Mr. Courduff asked Mrs. Harper on the legality of a gate on a public road. Mrs. Harper stated if the road is a public road Milford is to continue to maintain the roadway. If the road is private the residents are to maintain. Emergency services must have access either way. The law gives the right to vacate roads by ordinance or hearing. The law also gives the right to have temporary restrictions placed on a road. Mrs. Harper stated an approval for a cul-de-sac of this size may not be approved. Mr. Strunk said cul-de-sacs are limited to 150 feet.

Mr. Slotterbach of Walnut Lane inquired as to how plowing is handled on Mill Hill Road and how the garbage trucks access the roadway. Mr. Courduff stated one side of Mill Hill Road is not that long and consists of 2 or 3 houses. The other side of Mill Hill Road has been extended running parallel with Route 663 exiting out to Portzer Road behind the hospital. The concept behind was to eliminate a dangerous intersection. Mr. Slotterbach asked how trash trucks will access Doerr Road. Mr. Courduff stated a cul-de-sac will be installed in the area of the fish and game club. The cul-de-sac will be large enough for a fire truck to enter, loop around and exit without problem. Mr. Valentine of Walnut Lane stated Doerr Road was vacated about 5 years ago and not everyone was in favor of the road closing. Mr. Valentine told Mr. Williamson a wall could have been constructed to save Doerr Road, such as the wall that is being constructed on Rosenberger Road just across the other side of the turnpike to preserve a residence that abuts the turnpike at that location. Mr. Valentine stated cul-de-sacs over 450' are not permitted, however; that was not the case with Doerr Road. The only way for Walnut Lane to be closed from one end is with the installation of a cul-de-sac at one end. Mr. Valentine stated being a realist he sees Walnut Lane not being closed and the speed limit reduced to 25 mph. Walnut Lane is a very narrow road and complaints will continue to be made on the condition of the roadway. Two trucks cannot pass one another, there are more ruts on the shoulder of Walnut Lane than has ever been seen in the past. Mr. Valentine further stated some of the facts that the Township put forth are not factual and roads have been closed that are greater than 400' and the Township did not solicit input from emergency personnel for the closing of those roads. Unless a cul-de-sac can be installed the issue of a gate is a mute question as you cannot close a road without a cul-de-sac being present. Mr. Valentine stated he feels the road should remain a public road and Walnut Lane should not be improved or widened in anyway and the road should remain a lane.

Ms. Carla Welsch stated she would like to see the speed reduced on Walnut Lane. Mrs. Sari Harrar stated she would have liked to have been informed six years ago when Doerr Road was vacated as it affects them every day, it has really changed life and safety on the lane. She hopes something can happen to restrict through access on Walnut Lane as well as the lowering of the speed limit as much as possible. Mr. Courduff stated public hearings were had regarding the vacating of Doerr Road. Mr. Valentine stated most people have other things in their life to deal with and is perplexed why Doerr Road was vacated, fuel tax was lost, and it created impact to other roads. Mrs. Harper stated in response to why Doerr Road was vacated, the turnpike asked for the roadway to be vacated as part of the widening project. Mr. Valentine stated as he recalls there were other options at the time, one of which a wall which would cost approximately one million dollars. Mr. Strunk stated he does not recall anyone giving the township that option. Mr. Slotterbach asked if the turnpike could install at the end of construction. Mr. Williamson stated he would have to look into that as it would change the permit conditions of the project which may have major impact on the project, he will investigate and report back. There were no further comments at this time.

Engagement of Traffic Engineer. Mr. Vey presented the Proposal for Professional Traffic Engineering Services by and between Milford Township and SAFE Highway Engineering, LLC. Mr. Vey stated the scope of services has to do with the definition of the study area for the traffic impact study for LifeQuest as well as a review of the results and potentially to look at the Diverging Diamond and Modified Trumpet for the turnpike.

Mr. Strunk made a **MOTION** to accept the Proposal for Professional Traffic Engineering Services by and between Milford Township and SAFE Highway Engineering, LLC., as presented. The motion was seconded by Mr. Mininger and passed unanimously.

Public Comment:

None

Adjournment:

Mr. Vey stated the Board will meet in executive session following the regular scheduled meeting to discuss potential litigation.

With there being no further business Mr. Courduff made a **MOTION** to adjourn the June 21, 2022 regular meeting of the Milford Township Board of Supervisors at 8:37 p.m.

Milford Township Board of Supervisors'
Minutes of July 5, 2022 Meeting

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; Catherine Harper, Township Solicitor; David Winkler, Public Works Department; Nathan Cordero, Code Enforcement; and Chris Keltzing, IT Manager.

Call to Order: Mr. Strunk called the meeting of the Milford Township Board of Supervisors to order at 7:01 p.m.

Approval of Minutes: Mr. Strunk made a **MOTION** to approve the Meeting Minutes of June 7, 2022 as written. Mr. Mininger seconded the motion. The motion passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment along with the Treasure's Report of May 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Announcements: Mr. Cordero announced the Zoning Hearing Board will meet on Tuesday, July 12, 2022 to hear the application of Vincent and Julie McFadden for the property located at 1888 Strong Road, TMP 23-004-168, in the SRM Zoning District. The Applicant seeks a variance from Section 404.B6.b.3.3 to construct a covered deck 22' from the rear property line where 30' is permitted.

Land Development:

Moyer Allentown Road Sketch Plan, TMP 23-21-052-005 and 23-02-053. Mr. Scott Mease of Mease Engineering was in attendance to present the Moyer Allentown Road Sketch Plan on behalf of the Applicant, Ralph Moyer, for the property located along Allentown Road in the RA Zoning District. The Plan begins with two tax parcels. The Applicant is proposing a lot line change with approximately 9-acres being transferred from TMP 23-021-053 to 23-021-052-005. The newly reconfigured TMP 23-021-053 will then be subdivided into 2-lots, each lot will be in excess of 10-acres. The RA zoning district allows a minimum lot size of 2-acres. Mr. Mease stated the applicant will comply with the comments found in the Andersen Engineering Review letter dated May 24, 2022. Mr. Mease stated the total road frontage is 250' and a waiver of the requirement for the installation of curbs and sidewalks will be sought. The applicant is proposing overhead utility poles as there is a 125' pipeline easement running through the property and once confronted, the pipeline was not receptive with the installation of underground utilities. The utility poles will be located approximately 1,000' off Allentown Road. Mr. Strunk stated the first 1,000' of utility line should be run underground. Mr. Mease stated the Planning Commission members recommended the first 500' be run underground. Mr. Strunk stated he would be okay with the first 500' of line being located underground. Mr. Strunk stated curbs and sidewalks are not located in this area of the township and he would be in favor of granting a waiver. Mr. Andersen stated the waiver requests should be put in the form of a letter and a comment added to the plan. Mrs. Harper stated the ultimate right-of-way should be offered for dedication to the Township. Mr. Courduff asked why the plan is classified as a minor subdivision and not a major subdivision. Mr. Mease stated the proposal is a lot line adjustment followed by a subdivision of the newly configured lot which is the same proposal as the previously approved Stanford Subdivision which was also a minor subdivision. Mr. Vey stated the applicant is taking an exemption for open space requirements per Section 530.c. Mr. Vey stated the applicant should demonstrate how the conditions found under Section 503 are met. Mr. Vey suggested the calculations for required open space be performed and that area be placed in a conservation easement. Mr. Mease stated the plan will identify natural resources and site capacity calculations. Mr. Courduff asked Mr. Andersen if he believes the proposal is a major subdivision. Mr. Andersen stated he agrees with Mr. Mease and would classify the proposal as a minor subdivision. Mr. Vey asked Mr. Mease if his client would have an issue with a conservation easement being placed on the property. Mr. Mease stated he would. If woodlands and natural resources are protected, he wouldn't want further restrictions placed on the property. Mr. Andersen stated the plan shows over 12-acres of and with natural resources present. Mr. Andersen stated Mr. Mease will have to demonstrate how he met the requirements of 530.c. and the township has taken easements over natural resources in the past.

Other Business:

Adoption of Illicit Discharge Ordinance. Mrs. Harper presented proposed Ordinance No. 2022-179, an Ordinance of Milford Township to prohibit the discharge of stormwater, groundwater and illicit discharge into the sanitary sewer system; to provide standards to prevent such discharges; to provide authority for sewer lateral inspections by the Milford Trumbauersville area Sewer Authority; to require repairs to defective laterals by property owners; to require grease interceptors where grease-laden waste is generated and to prohibit any discharges which interfere with the operation of the sanitary sewer system; and add penalties. Mrs. Harper stated notice of the ordinance was published as required. Mr. Strunk asked if there was any public comment regarding the proposed ordinance. No comment was received.

Mr. Strunk made a **MOTION** to adopt **Ordinance No. 2022-179** Illicit Discharge. The motion was seconded by Mr. Mininger and passed unanimously.

Adoption of Sewer Lateral Inspection Ordinance. Mrs. Harper presented proposed Ordinance No. 2022-180, an Ordinance of Milford Township amending Ordinance No. 85, to require inspections for discharge of stormwater into the sanitary sewer system. The amendment adds the requirement that no sump pump is connected to the sanitary sewer system and/or discharging into the sanitary sewer lateral. If the sump pump discharge outside the sanitary sewer system cannot be verified, a dye test shall be performed by the Milford Trumbauersville Sewer Authority to verify that there is no connection to the sanitary sewer. If the sump pump or other stormwater discharge is connected to the sanitary sewer later, the connection must be disconnected. Mrs. Harper stated notice of the ordinance was published as required. Mr. Strunk asked if there was any public comment regarding the proposed ordinance. No comment was received.

Mr. Strunk made a **MOTION** to adopt **Ordinance No. 2022-180** Sewer Lateral Inspection. Mr. Mininger seconded the motion. The motion passed unanimously.

Adoption of New Residential Property Disclosure Statement. Mrs. Harper presented Ordinance No. 2022-181, an Ordinance of Milford Township revising and reenacting Ordinance No. 118 requiring sellers of new residential property to display the final approved subdivision plan, to specifically show this plan to all prospective buyers, to secure a statement from prospective buyers that they have seen and reviewed the final approved subdivision plan; requiring the seller to present to prospective buyers a plan for the lot being purchased and a disclosure statement; and requiring the seller of existing residential property to provide a disclosure statement. Mrs. Harper stated notice of the ordinance was published as required. Mr. Strunk asked if the public had any comment regarding the proposed ordinance. No comment was received.

Mr. Strunk made a **MOTION** to adopt **Ordinance No. 2022-181** New Residential Property Disclosure. Mr. Mininger seconded the motion. The motion passed unanimously.

Deed of Dedication of Right-of-Way, Naplin Four, 2525 Milford Square Pike, TMP 23-015-118. Mr. Strunk made a MOTION to accept the Deed of Dedication of Right-of-Way offered by Naplin Four to Milford Township for the property located at 2525 Milford Square Pike, TMP 23-015-118. The motion was seconded by Mr. Mininger and passed unanimously.

Correspondence:

Bucks County Airport Authority. Mr. Mininger stated routine business was discussed at the Airport Authority meeting of May 1, 2022. The terminal building project is pending and should start anytime. There are several dead ash trees that will be coming down in the area of the Quonset hut.

Quakertown Area Planning Committee. Mr. Vey reported the minutes of the Quakertown Area Planning Committee of May 10, 2022 state Richland Township has secured funding for 1,000 feet of stream bank restoration. Mr. Spears reported cameras are to be installed on the school districts buses to catch stop sign violators. The Committee members made a motion to provide a letter of support for the construction of a nature trail within Veterans Park located in Trumbauersville Borough.

Milford Trumbauersville Area Sewer Authority. Mr. Vey presented the minutes of the Milford Trumbauersville Area Sewer Authority meeting of May 16, 2022. The minutes state Milford Village Section 1 has submitted two sets of preliminary plans, one for apartments and one for retail and both plans are currently under review. It was noted in the minutes that the Authority is still waiting on the Agreements for the ALPAS Wellness Center. Mr. Courduff inquired as to the cost sharing of the roundabout project. Mr. Vey stated the project is cost sharing with PennDOT at 75% at the Sewer Authority at 25%. Mr. Vey asked Mr. Andersen if there have been any changes with the Authority. Mr. Valentine stated there have been no adjustments and they are waiting on the final agreement.

Milford Township Water Authority. Mr. Vey stated the Milford Township Water Authority meeting minutes of April 12, 2022 and May 10, 2022 covered routine business.

Reports:

Code Enforcement. Mr. Cordero presented the Code Enforcement Report for June 2022. A total of 25 permits were issued in June: 13 zoning permits, 3 single family dwelling permits, 13 residential renovation permits, 3 residential accessory permits, and 3 commercial permits. A total of 16 Use & Occupancy permits were issued and 5 fire inspections were performed. One Zoning Hearing Board Application was received.

Public Works Department Reports. Mr. Winkler presented the June 2022 Departmental Report. Mr. Winkler stated the Public Works Department began the month cleaning ditches and lining them with R-4 rip rap on Wright and Keiper Road. AMS applied slurry seal on Canary Road. The crew finished removing debris for the Bast property. The ash trees located on the Bast property will need to be removed. Dead ash trees were taken down on the Wonsidler property where it backs up to the houses on Nursery Road. Monster tree removed 6 large dead ash trees behind 121 Chestnut Drive where the open space backs up to their property. New oak flooring was installed on the lowbed. Mr. Courduff asked Mr. Winkler for a status update on the delivery of the two new pick-up trucks. Mr. Winkler stated he is still unable to order the trucks and feels we will not be acquiring them this year.

Milford Fire Company Report. Deputy Chief Ryan Hunsicker was in attendance to present the June 2022 Fire Company Report. Mr. Hunsicker stated the carnival was a great success this year and the final figures have not been provided yet. Mr. Hunsicker stated the fire company is getting ready for the upcoming concert in the park series. The carnival kitchen will be used at the event. Mr. Hunsicker stated over 150 calls have been received for the year so far. There has been no movement of the vehicles that have been ordered. Mr. Hunsicker stated a few volunteers have gotten EMT who are now utilizing the Quick Response Service truck. Mr. Courduff asked if the truck is equipped with the required gear. Mr. Hunsicker said it is and it is stickered and licensed.

Manager Report:

Draft Zoning Ordinance Amendment. Mr. Vey presented a draft of the proposed zoning ordinance amendment, amending the Milford Township Zoning Ordinance to create a new use, Indoor Self-Storage Facility and provide for dimensional and other regulations therefore. The draft also includes amending section 404.H. Accessory uses, eliminating Section H2.i. which states accessory buildings and structures shall not exceed eighteen feet in height. Mr. Vey stated the ordinance will be advertised as required and placed on the August 2, 2022 Board of Supervisors Meeting Agenda for discussion.

Red Hill Band Contract. After reviewing the contract for the Red Hill Band to perform at the concert in the park series being held at Molasses Creek Park, Mr. Miner made a **MOTION** to approve the contract as presented. Mr. Courduff seconded the motion. The motion passed unanimously.

Molasses Creek Park Path Request. Mr. Paul Gerhard has requested a macadam pathway be installed from the parking lot to both baseball fields at Molasses Creek Park to assist with wheelchairs getting to the fields. Mr. Gerhard operates a non-profit baseball league for physically and mentally challenged people who use the field every Sunday. Mr. Strunk asked Mr. Winkler for the specifics to install the pathway. Mr. Winkler stated the total distance for both pathways would be approximately 150' and cost less than \$1,000.00. Mr. Winkler stated the pathways would be ADA compliant.

Mr. Strunk made a **MOTION** to approve the installation of two macadam pathways at the Molasses Creek Park baseball fields. Mr. Miner seconded the motion. The motion passed unanimously.

Public Comment: Mr. James Brown of Kumry Road stated he has a few questions regarding the May 3, 2022 Board of Supervisors meeting minutes. Mr. Brown asked about the Quaker Pointe Hotel project. Mr. Andersen stated the proposal is for the construction of a hotel behind the vacant gas station and that the applicant is in the process of obtaining the required state permits to move the project forward. Mr. Andersen stated the project has been tabled until those permits are obtained. Mr. Brown stated that would make four hotels within 100-yards of each other and wonders why the Board of Supervisors would allow it. Mrs. Harper stated the owner of the property has a right to with the property what zoning allows as long as the proposal is in compliance with the zoning regulations. The Board of Supervisors cannot just deny a proposal. Mr. Andersen stated a hotel is permitted in the PC Zoning District. Mr. Brown asked about the Millstone at Parkside project and stated he was happy to hear the sledding hill will remain when the development is built. Mr. Brown inquired about the Mood waiver of land development request. Mr. Brown stated in regard to Walnut Lane, No Construction Vehicle signs were not installed and there are tri-axle trucks ripping down the road to develop the area where Walnut Lane goes over the bridge. Mr. Winkler stated the signs have been installed for some time now.

Mr. Mike Weideman of Lucky Lane was in attendance to discuss Oak Run. Mr. Weideman stated as the board is aware, the HOA is having problems with several homeowners in the development. There have been complaints regarding open space and structures being placed in the open space. Mr. Weideman stated the HOA has been dormant for some time and he has lived there for a long time and would like a solution to the ongoing problems. Mr. Weideman stated some items are located on the open space and does not want to survey the property as the residents of Oak Run pay no HOA fees. The pavilion in the open space is used for block parties. The police have been out for fist fights between neighbors and he would like to get this resolved. Mr. Strunk stated there are obvious violations, one of which is the burning of construction debris, which is a violation of the Code. Mrs. Harper stated no structures are to be located on the open space. Mr. Weideman stated he will take care of it and asked if the shed storing the HOA riding mower, which has been there since 2002, could remain. Mr. Dougherty and Mr. Chambers of Lucky Lane were also in attendance. Mr. Dougherty stated there is construction debris and treated wood being burned. Mr. Cordero stated per the burning ordinance only natural wood is permitted to be burned, pallets are pressure treated and cannot be burned. Mr. Cordero further stated over the open space, structures like fences, private sheds and the like are not permitted on the open space. The shed that houses the mower for the maintenance of the HOA property is permitted. It was noted that one fire pit has been there since 1989 and an old tree hut, put up three owners ago are located on the open space. Mr. Cordero stated it is a violation whether the structures are new or old. Mrs. Harper stated sheds and other accessory structures have to be located on the owner's property. Mr. Dougherty stated he will be filing with HUD and there have been derogatory signs installed in the neighborhood for over a year and he continues to have light shining on his house. Mr. Dougherty stated he spoke with Mr. Cordero and would like assurance that the HOA is doing what they need to do to comply with township ordinances.

Mr. David Holinbaugh tenant of 2121 and 2131 Allentown Road was in attendance to discuss his leases with the Board of Supervisors. Mrs. Harper stated the leases in place are month-to-month leases and the Township has decided to terminate both leases. Mr. Holinbaugh asked what the reason is for the termination of the lease. He stated he has paid all back fees and became current in January and was given 90-days to catch up on the back rent, which he did. Mr. Holinbaugh stated in the beginning of May

ie was caught up with all fees and rents then got in an accident and couldn't deposit a check to cover the rent. Mr. Holingbaugh stated he came to the Board Meeting in June to explain the situation but had to leave due to health reasons. Mr. Strunk stated the lease is a month-to-month lease and the Township has made the decision to terminate both leases.

Adjournment:

With there being no further business Mr. Strunk made a **MOTION** to adjourn the July 5, 2022 regular meeting of the Milford Township Board of Supervisors at 8:59 p.m.

Milford Township Board of Supervisors'
Minutes of August 2, 2022 Meeting

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; Catherine Harper, Township Solicitor; David Winkler, Public Works Department; and Chris Keltzing, IT Manager.

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

Approval of Minutes: Mr. Courduff made a **MOTION** to approve the Meeting Minutes of June 21, 2022 and July 5, 2022 as written. Mr. Mininger seconded the motion. The motion passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment along with the Treasure's Report of June 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Announcements: Mr. Vey announced the Zoning Hearing Board will meet on Tuesday, August 9, 2022 to hear the application of Paul Cappelloni and Donna Breedlove for the property located at 2030 Old Woods Road, TMP 23-020-131, in the RA Zoning District. The Applicant seeks a variance from Section 803.a.5 to construct an accessory structure 35 feet from the rear property line where a 60 foot setback is required.

Land Development:

J-Haul Landscape Rendering, 2075 Rosenberger Road, TMP 23-010-073. Ms. Augusta O'Neil, representative for the applicant, was in attendance to discuss the U-Haul landscape rendering as well as the proposed Zoning Ordinance Amendment. Ms. O'Neil stated U-Haul has made a number of concessions that are different than what is normally done. Typically on visible roadways, U-Haul will display seven of the different trucks available for rent, U-Haul has agreed to display five trucks at this location. U-Haul has agreed to contribute to traffic improvements on Route 663 as well as assist with the landscaping of the neighboring HOA property. U-Haul has agreed to put a berm around three sides of the site. The issue with the language of the ordinance is the size of the required berm along the Route 663 frontage. Ms. O'Neil stated J-Haul is agreeable to the landscaping shown in the rendering, several trees and a low hedgerow. U-Haul has spoken to several engineers, and it is her understanding there may be an issue as there is a right-of-way along the Route 663 and constructing the berm is almost an impossibility. Ms. O'Neil stated another concession U-Haul has made is obtaining approval for the removal of the historic building on site, which are unique to U-Haul and are nontransferable.

Ms. O'Neill noted that U-Haul has agreed to change the look of the front of the building which is typically constructed using mainly windows and if the board approves the proposal, the township would be getting a \$20 million dollar building with no impact on schools. Ms. O'Neil said U-Haul would like to have the requirement of the berm removed from the Ordinance. Mr. Mininger stated he has been neutral all along and has no comments at this time and he is glad to hear that U-Haul would agree to tint the windows making the indoor lockers less visible. Ms. O'Neil stated U-Haul is more than happy to keep tinkering with the design. Mr. Strunk stated he feels the proposal would be a better fit in the PI zoning district rather than on Route 663. Ms. O'Neil stated U-Haul likes the proximity to the turnpike and would be willing to make access into the site easier with road improvements on Route 663. Mr. Courduff stated the Planning Commission comments show the majority of the board offered a recommendation to require the berm. Ms. O'Neil stated the way it was explained to her was there is right-of-way between the proposed site and Route 663 so it wouldn't be possible to construct the berm as required by the ordinance. Mr. Vey stated the ordinance language does not necessarily require a berm. Ms. O'Neil stated the ordinance requires the first floor be covered. Mr. Vey said the ordinance states a permanent visual screen beginning at the ground and extending to the height of the ceiling height of the first floor or an equivalent acceptable to the Board of Supervisors. The whole idea from day one was the screening of the movable billboards and that is why when brought to the township the only concern from U-Haul was to be able to display the vehicles for rent. Mr. Vey stated the ordinance allows for the display of up to five vehicles available for rent with no two of the same size, that may be visible from the adjoining street, but not visible from residences within 1,000 feet. Mr. Vey stated the maintenance of the property is the requirement of the owner of the property and that includes the little strips noted on the plan. Mr. Vey further stated the maintenance of the property should not be listed as a concession if the property is required to be maintained. Mr. Vey stated another item listed as a concession is the demolition of the historic building. Ms. O'Neil stated it is being done to make the property look nicer. Mr. Vey stated he does not have strong feelings one way or the other regarding the removal of the building but feels it is not a concession. Ms. O'Neil stated the site is not being maintained, nor is it attractive. A corporate owner would ensure the property is being maintained. Mr. Vey stated everything comes down to visibility of the trucks from Route 663. Mr. Vey asked if the rendering shows parking spaces on the Route 663 side of the parking lot. Ms. O'Neil stated that all of the parking shown on the rendering is shown on the Route 663 side of the building. Mr. Courduff noted the rendering shows four deciduous trees that are will screen for a few months out of the year and the remaining of the year the screening will be gone and asked if U-Haul is proposing this in lieu of a berm. Ms.

O'Neil stated U-Haul is willing to work on the landscaping but does not want the first floor of the building hidden. Mr. Courduff stated a 35' high building would be visible and does not feel that many people drive around looking for a U-Haul as it is a destination. Ms. O'Neil stated U-Haul is very proud of their product and wants people to be able to see it. Mr. Vey said again, it all comes down to screening of the parking area. Mr. Vey said if he looks at existing U-Haul locations they are loaded up with trucks, moving billboards all around the building which is what led to this discussion on day one, the screening of the first floor. The building is not getting screened, it is strictly the visibility of the parking area all the messaging is above the landscaping. Ms. O'Neil stated the message has been received loud and clear that only five U-Haul vehicles are permitted in the front, along Route 663. Mr. Vey asked how this would get enforced if there are more than five vehicles. At this stage there are only pictures of what the site will look like. Ms. O'Neil stated contact would be made with U-Haul who would then take care of any enforcement issues and would not want the enforcement to fall on the township, there will always be a chain of command in place. Mr. Vey asked Ms. O'Neil what the problem is with landscaping so you cannot see the parking area. Ms. O'Neil stated the landscaping would prohibit the visibility of the vehicles. Ms. O'Neil asked Mr. Vey if it is a concern that U-Haul will get the building in then junk up the front of the property? Mr. Vey stated yes, over a period of time, then it becomes an enforcement issue. Mr. Vey asked if a rendering can be shown that complies with the ordinance that screens the parking area but still allows the five vehicles to be visible. Ms. O'Neil stated the way the ordinance is written the requirement is that the buffering is required to go up to the first floor. Another concern is the safety of the site, berms on three sides with high buffering on the front. Customers will be accessing the site late at night. Mr. Vey noted the proposed berms on the three sides of the site are not required by this ordinance. Mr. Vey further stated there are other means of buffering that may be acceptable to the Supervisors. Mr. Vey stated the first floor of the building shows bay doors and customer parking, the ordinance does allow the five vehicles. It was never the intent to take away the visibility of U-Haul. There is adamancy to not have buffering or screening of the parking. Mr. Vey asked Mrs. Harper if there is a way to address enforcement in advance, maybe with an escrow. Mrs. Harper stated it is possible if it is agreed upon but normal enforcement procedures should be followed. Mrs. Harper stated what U-Haul is forgetting is that this use is not permitted in this way on 663 unless an ordinance is passed. Mrs. Harper further stated that if this project was proposed in the industrial park close to the turnpike off AM Drive it might not be such a big deal to screen the site since the neighboring properties are also industrial type uses. Route 663 has to be the most visible location in Milford Township and the Supervisors have an interest in keeping Milford Township looking good. Mrs. Harper said the question is, what does the Board of Supervisors want to do with the ordinance. Route 663 has been developing a great deal since the overlay district was put in and there may be more appropriate uses for the site. The draft ordinance proposes buffering, it does not have to be a berm it can be landscape, it proposes buffering from Route 663 recognizing that U-Haul parks its vehicles as advertisement, the township is allowing up to five. The rest of the rules should be followed, and the ordinance states the extra buffering is because the draft ordinance raises the height of the building. Mr. Strunk stated he is uncomfortable with the size of the building; it looks out of place. Ms. O'Neil stated the township offered a height of 50'. Mr. Strunk stated even 35' seems high. Mr. Vey stated 35' is currently permitted. Mr. Strunk stated in the immediate area are motels, a Dunkin Donuts, and a bank which all have fairly small buildings. Mr. Courduff stated he would like to go back to the draft ordinance where buffering is referenced. The draft calls for a landscape berm, dense evergreen buffer, or other means of buffering acceptable to the Board of Supervisors shall be maintained as a permanent, which deciduous trees are not, visual screen beginning at the ground and extending to the height of the ceiling height of the first floor. Mr. Courduff stated we are all over the place on this. The ordinance spells out evergreens four to five feet in height and a rendering is presented showing four to five deciduous trees. Ms. O'Neil stated the landscaping can be worked on and the issue is, U-Haul does not want to screen the first floor. There were no further comments at this time.

Millstone at Parkside, Allentown Road & Foulkes Mill Road, Right-of-Way/Easement. Mr. David Caracausa was in attendance to discuss the required offsite improvements for the approved Millstone at Parkside Subdivision. Mr. Caracausa stated the improvements involve a temporary construction easement along with right-of-way improvements, including widening and installation of a swale on Foulkes Mill Road. Mr. Caracausa stated he has had several conversations regarding the required improvements with the current property owner of TMP 23-010-138-003 and 23-010-138-001, which have been unsuccessful. Mr. Caracausa stated development can still proceed, however; the improvements can not be installed until the easement(s) are secured. Mr. Caracausa further stated the approved resolution cannot be satisfied until the easement is obtained. Mr. Courduff asked if there is any written documentation regarding the easements from the previous property owner. Mr. Caracausa stated there is not, verbal agreements were made. The intent was to install two driveway pipes and a sewer line on the neighboring property. Mrs. Harper stated one suggestion is the Board of Supervisors agrees that Condition Number 8 remain and money be escrowed to cover any costs associated with eminent domain and just compensation. Mr. Courduff asked if this was a temporary easement. Mr. Caracausa stated the easement is permanent as the improvements are to be constructed in the right-of-way. There is a temporary easement required to create transitional grading. The right-of-way will require 10' on either side of the roadway which will then be dedicated to the township. Mr. Andersen stated a permanent easement of 8.5' is required, the right of way is 33' total, 16.5' each side and a 10' grading easement is required for 2 years. Mrs. Harper stated an agreement to post funds for possible condemnation would be needed to proceed. Mr. Vey stated there is

concern about the location of the new road in relation with the existing house. The roadway will have vehicles exiting the development which may cause headlights to shine into the existing dwelling. The improvements include buffering, to prevent headlights shining in the existing house, a sewer lateral, and driveway pipes, all of which benefit the property owner and he would hate to see the property owner lose what was agreed upon. The shoulder improvements include a swale which will need a temporary construction easement. Mr. Vey stated the escrow approach allows discussions to continue. Mr. Strunk asked Mr. Andersen and Mrs. Harper to put together the costs and associated agreement. Mrs. Harper stated the amendment can be handled in the Land Development Agreement. Mrs. Harper stated a motion to allow Condition Number 8 in Resolution No. 2022-15 to be amended, allowing Millstone at Parkside to hold in escrow the funds necessary to complete improvements, will be needed. Mr. Courduff stated Mr. Caracausa should continue communication with the neighboring property owner. Mr. Caracausa stated he has many times, as well as township staff and has been unsuccessful.

Mr. Strunk made a **MOTION** to approve the amendment to Resolution No. 2022-15 condition number 8, to allow Mr. Caracausa to hold in escrow funds to cover any costs associated with eminent domain and just compensation. Mr. Courduff seconded the motion. The motion passed unanimously.

Mrs. Kosack of Foulkes Mill Road was in attendance to offer comments regarding the Millstone at Parkside project. Mrs. Kosack stated the property owners have had discussions and feel like Mr. Caracausa presented the easement in a threatening way. Mrs. Kosack asked why the improvements are not located on the Millstone property. Mr. Vey stated the improvements are located on both sides of Foulkes Mill Road and the road cannot be widened without the swale. Mr. Vey stated the developer has offered improvements to the property owner. Mrs. Kosack asked if the properties located on Foulkes Mill Road will be required to hook up to public sewer. Mr. Caracausa stated the sewer lines will not be run down Foulkes Mill Road. Mr. Caracausa stated he would like to offer for the record that there was no “brow beating” the adjacent property owner. Mrs. Kosack stated she also has concerns with the newly proposed road. Mr. Caracausa stated the road will be constructed as a horseshoe with one end exiting at in front of the adjacent property owner and the other exiting across from open space. Mr. Caracausa noted an offer to buffer the adjacent property owners’ site has been made.

Mr. Smagalski of Foulkes Mill Road asked why the entrance to the development is located at the crest of a hill. Mr. Caracausa stated this is the best clear site distance and the roadway was reviewed and approved as presented. Mr. Smagalski stated the roadway should have come out onto Allentown Road. Mr. Smagalski further stated the neighboring property owns several donkeys and he would like the potential purchasers to be aware.

Other Business:

Zoning Ordinance Amendment: Mrs. Harper opened the hearing for the proposed Zoning Ordinance Amendment. Mrs. Harper stated the Zoning Ordinance Amendment has been advertised in the Town & Country twice, as required. Mrs. Harper stated the Ordinance permits a Self-Storage Facility on Route 663 by Conditional Use. A minimum base area of 6-acres is required, the use must be on an arterial road, and a building up to 50’ in height is allowed as part of the Conditional Use Approval. If the building is constructed at 50’ it must show that the fire company can handle the size of the building, the building must be sprinklered and the applicant must grant the Bucks County Airport Authority an Avigation easement. In addition, the use is permitted several accessory uses. The use may have truck and trailer equipment rental, retail sales of goods directly associated with the indoor self-storage facility business, office space, storage of portable moving units, and outdoor storage. The land area shall not be visible from any public street or residence. The use is permitted to display up to five vehicles for rent, no two being the same size. A buffer consisting of a landscaped berm, dense evergreen buffer or other shall be installed and maintained as a permanent visual screen extending to the height of the ceiling height of the first floor. Traffic improvements and parking areas are also required. Mrs. Harper stated part of the proposed Zoning Ordinance amendment, not relating to the Self-Storage Facility Use, is an amendment to Chapter 104, Section H2. Residential Accessory Building, Structure or Use of the Zoning Ordinance. The amendment eliminates Section 104.H2.i, Accessory buildings and structures shall not exceed eighteen (18) feet in height. Mrs. Harper stated the ordinance does not have to be voted on this evening if amendments to the ordinance are requested. Ms. O’Neil stated Mr. Vey had asked if U-Haul would be willing to post an escrow to handle any potential violations, Ms. O’Neil said her client would be willing to do so. At this time the hearing was opened to public comment. Mrs. Ambron reported there was not public comment received from the audience. Mrs. Harper announced there are two exhibits to add to the record, one being a letter from the Milford Township Planning Commission who had mixed feeling about the ordinance, some members want the language to remain the same and would like the landscape rendering to be revised to show compliance with the ordinance, and a review letter issued by the Quakertown Area Planning Committee, who offered no comments. Mrs. Ambron stated there were three members of the Planning Commission who were in favor of the ordinance as written, two members in favor of lessening the landscape restrictions, and one member who is in favor of rewriting the ordinance to be less restrictive. Ms. O’Neil would like the ordinance revised to add in the establishment of an escrow account to handle potential violations and would like to remove the first-floor screening requirements. Mr. Strunk closed the hearing at 8:24 p.m. A discussion ensued regarding Section Three e. Mr. Vey stated if the language was removed, buffering would not be required anywhere on the property. Mrs. O’Neil stated the language could be tinkered with. Mr. Courduff said Mr. Strunk made a comment stating he did not feel this building was compatible with the area, he thought all along that buffering and screening would be taken care of until he heard Mr. Strunk say he feels the building would be out of place in the area. At this point the

ownship is saying it doesn't belong in the area. Mr. Mininger stated he does not see the size of this building being much different than the hotels in the area. Mr. Mininger stated he does not have a problem with U-Haul on the property and is very neutral with the landscaping requirements. Mr. Courduff stated the screening with deciduous trees is not in compliance when the ordinance calls for permanent screening. Mr. Courduff stated it spells out specifically how the landscape plan should be shown. Ms. O'Neil stated U-Haul is happy to work with the township to create a landscape plan that is acceptable to the township. Mr. Courduff stated the building is nice in appearance, however; there is to be screening and a berm. Ms. O'Neil asked if the language of the escrow would help, as she sees it the screening is intended to prevent anyone on Route 663 to see a lot of U-Haul vehicles. The number of vehicles shown on the rendering are more than what would be parked onsite, as it is a low traffic generator. Ms. O'Neil stated she is surprised to hear such a need for screening and the escrow would take care of any enforcement issues. Mr. Strunk stated the details need to be worked out, Mr. Courduff agreed. Ms. O'Neil stated there is a deadline on the property and a decision must be made by Friday if U-Haul will be purchasing or not.

Mr. Vey stated this is a decision of the Supervisors and everything comes down to screening. The escrow is not that important. From day one it has always been the visibility from the arterial roadway. Ms. O'Neil stated even if the language is removed, she wants to confirm the five vehicles would still be permitted. Mr. Vey asked the Board if screening is an issue from 663.

Mrs. Harper stated an escrow cannot be added to an ordinance. Mrs. Harper pointed out the language states or other means of suffering acceptable by the Board of Supervisors. Ms. O'Neil stated a concern is the word or an equivalent, as this would still require the first floor to be screened. Mrs. Harper stated she thinks it's not the first floor screening U-Haul is worried about, it's not being able to use the trucks as advertising. Ms. O'Neil stated this is not something that is done at any other location. Mr. Courduff asked why the screening and buffering has not been shown after asking for it several times. Mr. Vey stated he needs direction from the Board on if it is okay to remove screening requirements. Ms. O'Neil stated U-Haul would not like any landscaping higher than 4' in height. Ms. O'Neil stated U-Haul is requesting one line of the ordinance be removed. Mr. Strunk stated he is not comfortable with the landscaping. Mr. Courduff stated he would like to see a landscape plan created by a registered landscape architect. The Zoning Ordinance Amendment relating to the proposed Self Storage Facility was tabled.

Mr. Mininger made a **MOTION** to approve Section Three of the Zoning Ordinance Amendment, Chapter 404, Section H2 Residential Accessory Building, Structure or Use, of the Milford Township Code of Ordinances is hereby amended eliminating 404.H2.i, Accessory buildings and structures shall not exceed eighteen (18) feet in height. Mr. Strunk seconded the motion. The motion passed unanimously.

Deed of Dedication of Right-of-Way, Faith Christian, Allentown Road, TMP 23-010-112-001. Mr. Courduff made a **MOTION** to accept the Deed of Dedication of Right-of-Way offered by Faith Christian to Milford Township for the property located at 2255 Allentown Road, TMP 23-015-118. The motion was seconded by Mr. Mininger and passed unanimously.

Correspondence:

Bucks County Tax Collection Committee. Mr. Vey stated the Bucks County Tax Collection Committee has submitted the 2021 Keystone Collections Group Financial Report for review.

Bucks County Airport Authority. Mr. Mininger stated routine business was discussed at the Airport Authority meeting of June 8, 2022. The new HVAC system is in. The contractor performing the renovations to the terminal building is in the process of procuring materials. There is a cystic fibrosis benefit car show being held Saturday, August 6, 2022 from 3:00 p.m. until 7:00 p.m.

Quakertown Area Planning Committee. Mr. Vey reported the minutes of the Quakertown Area Planning Committee of May 10, 2022 note the adoption procedure of the comprehensive plan amendment was discussed. The minutes also note that Richland Township has secured funding for 1,000 feet of stream bank restoration.

Milford Trumbauersville Area Sewer Authority. Mr. Vey presented the minutes of the Milford Trumbauersville Area Sewer Authority meeting of June 20, 2022. The minutes reflect several approved Escrow Releases. The Authority continues to wait on Agreements for ALPAS Wellness Community. It was reported that the Mill Hill Road Extension project is complete.

Reports: Code Enforcement. Mr. Vey presented the Code Enforcement Report for July 2022. A total of 33 permits were issued in July: 3 zoning permits, 1 single family dwelling permit, 14 residential renovation permits, 4 residential accessory permits, and 11 commercial permits. A total of 9 Use & Occupancy permits were issued and 7 fire inspections were performed. One Zoning Hearing Board Application was received.

Public Works Department Reports. Mr. Winkler presented the July 2022 Departmental Report. Mr. Winkler stated the Public Works Department ran the conduit for the cameras at Molasses Creek Park and recycle center. The crew cleaned ditches on Old Plains Road and cleared site distance at Engelman's Bridge. The shoulders of Fels Road at Trumbauersville Road were repaired. Paved paths for wheelchairs were installed at both little league fields. Cabin #14 at Camp Cedar Hill was removed. Ash trees were removed in open space behind houses at Parkside, Streamview, and Chestnut Drive. Dead Ash trees were removed from the right-of-way along Fennel Road. Many large trees were removed from the Upper Ridge Property. The most dangerous trees are being removed first, with the tallest trees being removed by utilizing a high lift.

Mr. Winkler presented the Bucks County Consortium 2022 Fuel Bid. Mr. Winkler stated Riggins, Inc. submitted the lowest bid for both Unleaded Regular and Ultra-Low Sulfur Diesel.

Mr. Strunk made a **MOTION** to award the Bucks County Consortium 2022 Fuel Bid for Unleaded Regular and Ultra-Low Sulfur Diesel to Riggins, Inc. The motion was seconded by Mr. Mininger and passed unanimously.

Agricultural Security Area. Mr. Courduff presented the meeting minutes of July 20, 2022. Discussed at the meeting was the finalizing of the leases. The AG Security Committee will make a recommendation to the Board of Supervisors to start leasing the township owned ground that is currently being farmed. Mr. Courduff stated once comments are received the lease agreements will be distributed for review. Mr. Courduff stated AG Daze will occur on September 10, 2022.

Trumbauersville Fire Company. Mr. Strunk announced the Trumbauersville Fire Company written report for June 2022 is available for review.

Milford Fire Company Report. Mr. Strunk announced the Milford Fire Company report for June 2022 is available for review.

Manager Report: Mr. Vey made a recommendation to appoint Mrs. Devan Ambron to the position of Assistant Township Manager.

Mr. Strunk made a **MOTION** to appoint Mrs. Devan Ambron to the position of Assistant Township Manager. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Vey announced Mr. Cordero has resigned from Milford Township. Mr. Cordero will be ending his employment with Milford Township on August 26, 2022. Mr. Vey recommends Mr. Gregg Kravitsky be appointed to the position of Code Enforcement Officer beginning on August 22, 2022.

Mr. Strunk made a **MOTION** to appoint Mr. Gregg Kravitsky to the position of Code Enforcement Officer effective August 22, 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Vey reported settlement for the Woodroffe property is scheduled to take place on August 11, 2022. Mr. Vey requests a Resolution to acquire the 2.93 vacant parcel in lieu of condemnation be passed.

Mr. Mininger made a **MOTION** to approve Resolution No 2022-17, the purchase the Woodroffe property located on Krammes Road, TMP 23-010-014, in lieu of condemnation. The motion was seconded by Mr. Strunk and passed unanimously.

Mr. Vey gave a brief status update of the on-going issues on Walnut Lane. Mr. Vey stated he met with Trumbull after receiving word that Kumry Road will be intermittently closed for a long period of time due to bridge construction. Mr. Vey drove the entire block and is insistent that the detour and closure signs be located at Krammes Road to prevent motorists from having to turn around and/or utilize Walnut Lane. Mr. Vey stated he took a close look at the Uniformed Traffic Control Devices focusing on the signs permitted under the Federal Highway Administration Manual. A suggestion was made to declare the area at Walnut Lane and Kumry Road, as well as Walnut Lane and the former Doerr Road, a construction area which can be deemed closed. Area closed signs would be permitted to be displayed, with avoidance of complete blockage of the roadway. At Walnut Lane and Canary Road, road closed signs or road closed to thru traffic signs could be displayed with a sign placed in each direction on Canary Road as you approach Walnut Lane, ensuring it be obvious that it is Walnut Lane that is closed. If declared a construction area, no outlet signs may be posted on Walnut Lane. The roadway will not physically be closed but perceptually closed, allowing for emergency services to continue to be able to access Walnut Lane. Mr. Vey stated Trumbull will be addressing the detour as well. Mr. Courduff stated he likes the idea of using the signage. Mr. Courduff asked Mr. Vey what the status of the radar signs was. Mr. Vey stated the radar signs have been received, which will help capture speed and volume. Discussions have been had on where the signs should be placed. Mr. Vey stated the only issue with the area closed requires wording about the jurisdiction and does not think there should be a problem with declaring the area a construction area. Mrs. Harper asked if the roads being closed are local roads or state roads. Mr. Vey stated the area to be closed is adjacent to state roads and he thinks Trumbull would be happy with this as there will be more flexibility in the construction zone. What is trying to be accomplished is diversion of the through traffic to Krammes Road and Allentown Road. Mrs. Harper stated school districts occasionally object to the closing of roads and they should be notified. Mr. Mininger asked if the closure would go into the school year. Mr. Vey stated the exact timing is unknown at this time.

Escrow Release:

Fuskes Homes, Millstone at Parkside, TMP 23-010-137. Mr. Strunk made a **MOTION** to approve the requested escrow release of Tuskes Homes for the property located on Foulkes Mill Road and Allentown Road, TMP 23-010-137. The motion was seconded by Mr. Courduff and passed unanimously.

Naplin Four, Maintenance Period Security Release, Milford Square Pike, TMP 23-015-118. Mr. Strunk made a **MOTION** to approve the Naplin Four Maintenance Period Escrow Release for the property located on Milford Square, TMP 23-015-118. Mr. Courduff seconded the motion. The motion passed unanimously.

Public Comment:

Mr. Bill Mantz of Foulkes Mill Road stated Foulkes Mill Road was a through way when Milford Square was closed at the bridge a few years ago. Tractor trailers continue to use Foulkes Mill Road and he wants to know what can be done to stop the trucks on the road. Mr. Strunk stated the truck traffic cannot be stopped. Mr. Strunk stated the Township did not close Milford Square Pike; it was closed by the County. Mr. Mantz asked if a sign stating no trucks could be installed. Mr. Vey stated most likely not, however; if the trucks are speeding the speed trailer could be used to monitor the vehicles.

Mr. Jim Lyons of Huber Drive stated he sent a request through the township website looking for information on the rules for basketball nets being placed in the street as there are several located across the street from his home. Mrs. Ambron stated the Code Enforcement Officer would be able to answer that question. Mr. Vey stated the short answer is basketball nets are not permitted in the public right-of-way. Mr. Lyons will follow up with Mr. Cordero.

Mr. Ray Dougherty of Lucky Lane stated he spoke with Mr. Cordero last week and was told the issue with the open space violation was delayed. Mr. Dougherty stated he has concerns with Mr. Cordero resigning and the future handling of existing problems. Mr. Dougherty stated the homeowners of Lucky Lane should be getting a survey to determine their exact property lines. Mrs. Harper stated a homeowner must be given the opportunity to fix a violation and that is what is happening currently. Mr. Dougherty stated no one will stand up to become a member of the board of the Homeowner's Association. Mr. Dougherty stated issues were present prior to them moving into the property. Mr. Dougherty stated at the last meeting Mr. Strunk stated the board was just notified of the fires occurring on Lucky Lane. Mr. Dougherty stated he has videos of the construction debris that was being burnt. He just wanted to clarify.

Adjournment:

With there being no further business Mr. Strunk made a **MOTION** to adjourn the August 2, 2022 regular meeting of the Milford Township Board of Supervisors at 9:32 p.m.

**Milford Township Board of Supervisors
Minutes of September 6, 2022 Meeting**

Attendance: Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice-Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Assistant Manager; Peter Andersen, Township Engineer; Catherine Harper, Township Solicitor; David Winkler, Public Works Department; and Sarah Kline, Staff Member.

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

Approval of Minutes: Mr. Courduff made a **MOTION** to approve the Meeting Minutes of August 2, 2022 as written. Mr. Mininger seconded the motion. The motion passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment along with the Treasure's Report of July 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Announcement: Mr. Vey announced the Zoning Hearing Board will meet on Tuesday, September 13, 2022 to hear the following applications: Robert and Sherri Ievers for the property located at 111 N. Vassar Drive, TMP 23-010-149-012, in the RD Zoning District. The Applicant seeks a variance from Section 404H.2.d and 404B.1.B to construct an accessory structure 6 feet from the rear property line where a 25-foot setback is required; the application of Brandon Ribero for the property located at 1610 Old Plains Road, TMP 23-007-002-001, in the RA Zoning District. The Applicant seeks a variance from section 404B.1B to construct an accessory structure at 64 feet from the property line where a 75-foot setback is required.

Conditional Use: Milford Village, Section 1, Route 663, TMP 23-010-175-001. Mrs. Harper opened the hearing at 7:06 p.m. Mrs. Harper stated the applicant has submitted a time extension request continuing the hearing date to October 4, 2022. A motion was made by Mr. Strunk and seconded by Mr. Mininger to approve the continuation of the Condition Use Hearing to October 4, 2022. The hearing was closed.

Subdivision/Land Development:

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

Milford Village, Section 1-Apartment, Route 663, TMP 23-010-175-00-Tabled

Milford Village, Section 1-Retail, Route 663, TMP 23-010-175-001-Tabled

J-Haul Concept Plan, 2075 Rosenberger Road, TMP 23-010-73-Tabled. Mr. Vey stated the applicant may terminate the proposal.

Other Business:

Zoning Ordinance Amendment, Indoor Self-Storage Facility Use. Review of the proposed Zoning Ordinance Amendment was tabled until the October 4, 2022 Board of Supervisors meeting.

Correspondence:

Mr. Vey reported a request was received from Sellersville Borough for Fire Police assistance for traffic control for the Sellersville Gallery of the Arts which is scheduled to take place on Sunday, September 18, 2022 from 7:00 a.m. to 7:00 p.m.

Mr. Mininger made a **MOTION** to approve the request for Fire Police assistance for the Sellersville Gallery of the Arts on Sunday, September 18, 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Bucks County Airport Authority. Mr. Mininger stated business is going along in Quakertown as normal. The tentative allocation date for the grant to expand the terminal area was today, which the Airport Authority knew was coming. The authority will be set to bid in January with an April construction start. Mr. Strunk asked if the size of the building will be increasing. Mr. Mininger stated it will not, just the ramp area. Mr. Vey asked if release of the obstruction removal has been made. Mr. Mininger stated it has and the project has been closed out.

Milford Township Water Authority. Mr. Vey reported the minutes of the Milford Township Water Authority reflect routine business and are available for review.

Milford Trumbauersville Area Sewer Authority. Mr. Vey reported the minutes of the Sewer Authority addressed routine business and are available for review.

Reports:

Code Enforcement. Mr. Vey presented the Code Enforcement Report for August 2022. A total of 27 permits were issued in August: 3 zoning permits, 11 residential renovation permits, 9 residential accessory permits, and 5 commercial permits. A total of 14 Use & Occupancy permits were issued and 2 fire inspections were performed. Two Zoning Hearing Board Applications was received. Mr. Vey reported Mr. Kravitsky has successfully passed his Building Code Official test.

Public Works. Mr. Winkler reported the Public Works Department began the month of August removing dead ash trees around the upper trail at Molasses Creek Park. We repaired an inlet on Sleepy Hollow Road. Brush around road signs was cleared throughout the Township. We installed 200' of storm pipe and 2 inlets on Pumping Station Road. Sacks & Sons leveled and overlaid Pumping Station Road using 270 tons of 25 mm and 421 tons of 9.5.

Salt Contract. Mr. Winkler stated Cargill was the successful bidder for the 2022-2023 Costars Salt Contract. The total per ton is \$72.09 a ton, up from \$62.31 a ton in 2021-2022.

Line Painting. Mr. Winkler stated a total of 147,678 feet of double yellow line and 12,850 feet of fog line was put out to bid. The bid was sent to three contractors. One bid was received from Alpha Space Control with a total bid price of \$29,279.57. Mr. Courduff asked if it is a requirement to use water-based paint. Mr. Winkler stated it is, along with glass bead in the paint, however; long paintings will be done with epoxy.

Mr. Courduff made a **MOTION** to award the 2022 Line Painting Bid to Alpha Space Control with a total bid price of \$29,279.57. Mr. Mininger seconded the motion. The motion passed unanimously.

Park Board. Mr. Vey presented the Park Board meeting minutes of August 10, 2022. Mr. Vey stated the board discussed maintenance issues. The basketball backboards at Molasses Creek Park will be removed for repairs this fall and the poles will be repainted. Mr. Vey reported the signs for disc golf have been delivered to the township. The board reviewed the new concert pavilion and suggested lights be installed to the pavilion and plants installed to the front of the stage. It was also suggested to add dirt to the left-hand side of the stage to keep it symmetrical. Mr. Vey stated the concert in the park series was not overwhelmingly attended but was successful.

Trumbauersville Fire Company. Mr. Strunk stated the written report for Trumbauersville Fire Company is available for review.

Milford Township Fire Company. Mr. Strunk stated the written report for Milford Township Fire Company is available for review.

Managers. Mr. Vey stated the Turnpike has reduced the design configuration for the interchange from a Diverging Diamond to a Modified Trumpet Design. The modified trumpet is more appealing in the fact that it captures the eastbound, Pennsburg to Quakertown, traffic before getting to the traffic signal, with a reverse jug handle for the north bound traffic. Things were not very apparent with the Diverging Diamond until the details were completed. The Diverging Diamond would require a new intersection to the west of the turnpike with ramps to and from that intersection. That intersection would have to be raised approximately 3 feet. The Diverging Diamond would also require the construction of a new exiting ramp for southbound turnpike traffic that would have to run through wetlands. The intersection would also involve a signal and an orientation of lanes that would direct headlights towards Spinnerstown Crossing. Other details include the need to extend construction along Rt. 663 farther to the west, the need for trucks to weave across two lanes of 663 to access the southbound turnpike, the obstruction of maintenance access for the turnpike from the maintenance yard, the impediment to emergency response and the potential need to relocate Molasses Creek. Items need to be addressed with the Modified Trumpet design. One major issue is how the northbound truck traffic exiting will get to the existing warehouses on AM Drive. Currently there are no trucks allowed on AM Drive. There are concerns with the tapering, speed, and extended stacking of trucks. There have been discussions of signalization. New Road was built by Milford, before any discussions about the interchange reconfiguration began. The intent is to provide rear access for businesses fronting on Rt. 663 and to potentially connect to the turnpike signal at Rt. 663 to accommodate trucks heading to the AM Drive Warehouses. Its purpose is to accommodate local access turning movements that would otherwise degrade the functioning of the Arterial Highway. Discussed several meetings ago, was the construction of a potential warehouse development of turnpike property. The Turnpike stated that there are no plans for the development of turnpike property at the interchange and that the consideration of connection of the northbound exiting ramp to New Road will not be influenced by future development. One thing not discussed was the commuter parking lot. Mr. Courduff asked is the Modified Trumpet off ramp would need to be expanded to obtain proper deceleration speed and if so, would it be closer to Spinnerstown Crossing. Mr. Vey stated it would and the Turnpike Commission has noted they will be performing a sound study and stated they will abide by the results of the study. Mr. Vey asked if the Township wants to push for the Diverging Diamond or endorse and move the Modified Trumpet along. Mr. Courduff said the Turnpike has talked about the Diverging Diamond for years and it seems like the Turnpike has changed their minds. Mr. Courduff stated the plan involves relocation of a stream in a high-quality watershed, which could really be an issue. Mr. Courduff stated New Road should be connected and asked if the change was due to marketing or pure science and road design and the Township spend a lot of money of the construction of New Road. Mr. Mininger stated he agrees. Once engineering really started the plan changes. With these changes the residents at Spinnerstown Crossing will want an explanation. Mr. Strunk stated it looks like

he Modified Trumpet works better. Mr. Courduff said that may be but there are still residents at Spinnerstown Crossing that will be affected and the Township kept all that open space for that reason. Mr. Courduff asked if the Turnpike will take the Township property. Mr. Vey stated with either design the township property will be needed along with the diversion of Molasses Creek. Mr. Vey further stated the impacts to Spinnerstown Crossing will occur on the south end and those properties would be the most impacted with the Diverging Diamond. Mr. Strunk stated to do a major project like this, not everyone will be happy, you have to take the best you can get. Mr. Courduff asked what needs to be done. Mr. Vey stated if nothing is done the process is delayed or the township can support the Modified Trumpet. The Diverging Diamond was proposed years ago without any engineering. Mr. Mininger stated whatever the township approves he would like a footnote that states New Road is to be connected. Mr. Courduff asked what the proposed construction schedule is. Mr. Vey stated the interchange will be its own project and could start in 2024 or go out multiple years. Mr. Strunk stated he would like the township to endorse the Modified Trumpet and work with the design.

Mr. Strunk made a **MOTION** to issue a letter of support to the Pennsylvania Turnpike Commission for the Modified Trumpet design of the Quakertown Interchange with a footnote on the plan stating New Road is to be connected. Mr. Mininger seconded the motion. The motion passed unanimously.

815 Bauman Road, Sewage Facilities Planning Module.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2022-19**, Sewage Facility Planning Module for the property located at 1815 Bauman Road, TMP 23-002-136, following a minor clerical amendment. Mr. Courduff seconded the motion. The motion passed unanimously.

Escrow Release:

Mr. Strunk made a **MOTION** to approve the LifeQuest Mill Hill Relocation Maintenance Period Security Release closing the project. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Strunk made a **MOTION** to approve the LifeQuest Mill Hill Road East Escrow Release No. 9 in the amount of \$253,037.52 leaving a balance of \$722,764.08. The motion was seconded by Mr. Courduff and passed unanimously.

Public Comment: Ms. Helm of Old Woods Road stated Old Woods Road has been “beat up” from the Turnpike Upper Ridge Road Bypass project and the road is now falling apart as is Wright Road. If you ride down center, it is nice, once you move into the travel lane it is terrible. Mrs. Helm stated in the 36 years she has lived here the road has never been resurfaced. There is currently a lot of trucks using Old Woods Road. Mrs. Helm asked when the road will be put on the schedule to be resurfaced. Mrs. Helm further stated the road was never lined. Mr. Winkler stated the road is too narrow for a double yellow line and he will look into the resurfacing. Mr. Winkler stated there is no base on the roadway. Mr. Courduff stated the resurfacing of the road won’t hold up without doing major base repair. Mrs. Helm asked when that can happen? Mr. Winkler said he will put something together which may include install a cold mix, which is more flexible. Mrs. Helm asked if fog lines can be installed. Mr. Winkler replied he will investigate the fog lines as well. In closing, Mrs. Helm wanted to thank the township for a wonderful job done with the roadside mowing.

Adjournment:

With there being no further business Mr. Strunk made a **MOTION** to adjourn the September 6, 2022 regular meeting of the Milford Township Board of Supervisors at 7:41 p.m.

**Milford Township Board of Supervisors
Minutes of October 4, 2022 Meeting**

Attendance: Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice-Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Assistant Manager; Peter Andersen, Township Engineer; Catherine Harper, Township Solicitor; David Winkler, Public Works Director; Chris Kletzing, IT Manager; and Gregg Kravitsky, Code Enforcement.

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

Approval of Minutes: Mr. Mininger made a **MOTION** to approve the Meeting Minutes of September 6, 2022 as written. Mr. Strunk seconded the motion. The motion passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment along with the Treasure's Report of August 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Strunk proposed to increase the current bond amount for Mrs. Ambron and Mrs. Mallery from \$2 million to \$3 million. Mr. Strunk requested that Mrs. Ambron research the costs for a higher bond amount for the future.

Mr. Strunk made a **MOTION** to increase the current bond from \$2 million to \$3 million. The motion was seconded by Mr. Courduff and passed unanimously.

Mrs. Ambron reported the Township is in receipt of the Volunteer Fire Relief Association State Aid Allocation in the amount of \$84,902.85 along with the General Municipal Pension System State Aid Allocation in the amount of \$62,165.42.

Conditional Use: Milford Village, Section 1, Route 663, TMP 23-010-175-001. Mrs. Harper opened the hearing at 7:08 p.m. Mrs. Harper stated the applicant has submitted a time extension request continuing the hearing date to November 1, 2022. A Traffic Impact Study is being performed as required by zoning. A **MOTION** was made by Mr. Strunk and seconded by Mr. Mininger to approve the continuation of the Condition Use Hearing to November 1, 2022. The hearing was closed.

Subdivision/Land Development:

Quaker Pointe Hotel, 1915 John Fries Highway, TMP 23-010-021-001-Tabled
Milford Village, Section 1-Apartment, Route 663, TMP 23-010-175-00-Tabled
Milford Village, Section 1-Retail, Route 663, TMP 23-010-175-001-Tabled

Other Business:

Adoption of Act 57 Amendment. Mr. Vey reported Pennsylvania has adopted Act 57 of 2022 amending the Local Tax Collection Law and requires municipalities to adopt a resolution requiring the Tax Collector to waive additional charges for real estate taxes where notice of the real estate taxes was not received following the transfer of real property beginning on January 1, 2023.

Mr. Courduff made a **MOTION** to approve **Resolution No. 2022-19**, Requiring the elected Tax Collector to waive additional charges for real estate taxes where notice of the real estate taxes was not received following the transfer of real property. Mr. Mininger seconded the motion. The motion passed unanimously.

Yurchak Tax Discount. Mrs. Ambron stated a request has been received from Mrs. Gail Yurchak requesting a waiver of the penalty assessed on her taxes due to unforeseen circumstances. Mrs. Harper stated waiving penalties can be approved on a case-by-case basis.

Mr. Strunk made a **MOTION** to approve the requested waiver of penalty and accept payment of township tax in the discount period. The motion was seconded by Mr. Courduff and passed unanimously.

Mood, Minor Revision of Land Development Plan, 1970 John Fries Highway, TMP 23-010-100-001 . Mr. Vey stated the Moods have gone through an extensive review and have some minor revisions that do not correspond to what was approved previously through a waiver of land development. Matt Mood along with a representative from Brecknock Builders were in attendance to discuss the revised plan. A hand sketch was originally submitted as part of the application. Since that time an architectural plan has been created. There has been a slight increase in the impervious surface. Mr. Mood stated as for the facility, the building has been scaled down to meet fire codes. The original proposal was for a 9,920 square foot building. The building configuration has changed and now includes a front porch. Mr. Mood stated the building will be kept under 12,000 square feet. Mr. Vey noted the plan remains in compliance with the required setbacks. Mr. Vey further stated a building permit must be secured. Mr. Courduff asked Mr. Mood if the only change was to the porch dimensions. Mr. Mood stated the building will remain the same size, just rerouting some of the porch so it is not located all out front and there will be a dock at

he rear of the building. Mr. Mood stated he just wanted to make sure they remained in compliance. Mr. Mininger noted the impervious surface is not increasing as it is already impervious surface.

Mr. Mininger made a **MOTION** to approve the minor revision of the Land Development plan for the Windy Spring Farm Store, 1970 John Fries Highway. Mr. Courduff seconded the motion. The motion passed unanimously.

Correspondence:

Mr. Vey reported a request was received from Lower Milford Township for Fire Police assistance for traffic control from 4:30 a.m. to 8:00 p.m. Friday, October 7, 2022, Sunday, October 30, 2022, Sunday, December 4, 2022, and Sunday December 11, 2022 for Hausman's Fruit Farm.

Mr. Mininger made a **MOTION** to approve the request for Fire Police assistance for Hausman's Fruit Farm on Friday, October 7, 2022, Sunday, October 30, 2022, Sunday, December 4, 2022, and Sunday December 11, 2022 from 4:30 p.m. to 8:00 pm. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Vey reported a request was received from East Greenville Borough for Fire Police assistance for traffic control starting at 1:00 p.m. on October 23, 2022 for the annual Halloween Parade.

Mr. Mininger made a **MOTION** to approve the request for Fire Police assistance for the East Greenville Borough Halloween Parade on October 23, 2022 starting at 4:00 p.m. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Vey reported a request was received from Pennsburg Borough for Fire Police assistance for traffic control starting at 5:00 a.m. on October 23, 2022, with a rain date of Tuesday, October 25, 2022, for the annual Halloween Parade.

Mr. Mininger made a **MOTION** to approve the request for Fire Police assistance for the Pennsburg Borough Halloween Parade on October 23, 2022, starting at 5:00 p.m. The motion was seconded by Mr. Courduff and passed unanimously.

Bucks County Airport Authority. Mr. Mininger stated a neighboring properties dead ash tree was removed, and the area looks good. The contractor is still gathering supplies for the renovation and the HVAC system has been installed. Mr. Strunk stated they did a nice job removing the ash trees.

Quakertown Area Planning Committee. Mr. Vey stated the QAPC discussed the proposed Zoning Amendment, related to J-Haul, which was not adopted as U-Haul withdrew their application.

Milford Township Water Authority. Mr. Vey reported the minutes of the Milford Township Water Authority reflect routine business and are available for review.

Milford Trumbauersville Area Sewer Authority. Mr. Vey reported the minutes of the Sewer Authority addressed routine business and are available for review.

Reports:

Code Enforcement. Mr. Kravitsky presented the Code Enforcement Report for September 2022. A total of 24 permits were issued in September: 6 zoning permits, 6 residential renovation permits, 7 residential accessory permits, 1 single family dwelling, 2 residential additions, and 2 commercial permits. A total of 8 Use & Occupancy permits were issued and no fire inspections were performed. No Zoning Hearing Board Applications were received.

Public Works. Mr. Winkler reported the Public Works Department finished the Pumping Station Road project, installing all the shoulders. The crew installed 160 feet of 15-inch RCP on Milford Square Pike along with 2 inlets. Ditches were cleaned on Weiss Road. The crew spent a week removing debris from the 2121 Allentown Road rental property. Ash trees were removed from Valley View II open space and the Barrell Run Trail.

Mr. Winkler stated the roof replacement for the second half of the Public Works Building was put out to bid. Four sealed bids were received, and Lemus Construction was the lowest bidder with a total bid price of \$29,518.00.

Mr. Strunk made a **MOTION** to award the Roof Replacement Bid to Lemus Construction with a total bid price of \$29,518.00. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Winkler stated sealed bids were received for the replacement of the 1st floor HVAC system at the Administration Building. One bid was received from Hirschberg Mechanical with a total bid price of \$84,750.00. A second bid was received from Hirschberg utilizing COSTARS, without installing an ERV system, with a total bid price of \$59,279.00. Mr. Courduff inquired as to how the ERV system works. Mr. Winkler stated the system brings fresh air in and removes stale air which is good for use in warm humid areas with heavy AC use. Mr. Courduff stated it sounds reasonable to keep fresh air in the building and he cannot see installing the replacement HVAC without the ERV system.

Mr. Courduff made a **MOTION** to award the HVAC Replacement with ERV System bid to Hirschberg Mechanical with a total bid price of \$84,750.00. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Winkler stated the Ford F-350 pickup trucks, and an F-600 small dump truck should be available for ordering on November 7, 2022 at 4:00 p.m. Following a discussion with Hondru Ford the order bank will be open for about 2-3 days then will shut down. A formal Purchase Order must be provided prior to the opening of the order. Mr. Winkler stated the pickups will be equipped with 9 ½' Fisher plows. Mr. Courduff asked if COSTARS pricing is being utilized. Mr. Winkler stated it is and cost is roughly \$67,500 for each pickup and the small dump truck is approximately \$140,000. Mr. Courduff asked if any equipment is being replaced. Mr. Strunk stated the international dump truck and 2 pickup trucks will be replaced. Mr. Winkler stated his intent is to sell the old equipment outright. Mr. Winkler stated at this time he is seeking authorization to purchase the two pickup trucks and the small dump truck.

Mr. Courduff made a **MOTION** to authorize the purchase of two (2) Ford F-350 pickup trucks and one (1) F-600 small dump truck. Mr. Strunk seconded the motion. The motion passed unanimously.

Park Board. Mr. Vey presented the Park Board meeting minutes of September 14, 2022. Mr. Vey stated the board discussed maintenance issues that have been completed. The back boards at Molasses Creek Park have been painted and the small height basketball back boards have been removed and nets have been replaced with metal netting and the signage for disc golf has been installed. A discussion was had regarding the splash pad. Mr. Vey stated the project is moving ahead, however; there are a few administrative items to resolve with the grant administrator.

Trumbauersville Fire Company. Mr. Strunk stated the written report for Trumbauersville Fire Company is available for review.

Milford Township Fire Company. Chief Butler presented the September 2022 Report. Chief Butler stated a total of 25 calls were received for the month of September. The Fire Company will be submitting the SFG Grant for an air compressor fill station and have begun working on next year's grant for the replacement of thermal imaging cameras on two of the trucks. Chief Butler stated the Deputy's truck is currently on the assembly line.

Managers:

2023 Minimum Municipal Obligation. Mr. Vey presented the Minimum Municipal Obligation for the Milford Township Non-Uniformed Pension Plan for plan year 2023. The MMO budget amount, based on January 1, 2021 actuarial valuation, is \$115,659, which will be reflected in the 2023 Budget.

Mr. Strunk made a **MOTION** to approve the Minimum Municipal Obligation Worksheet for the Milford Township Pension Plan for plan year 2023 in the amount of \$115,659. Mr. Courduff seconded the motion. The motion passed unanimously.

Appointment of Zoning Officer and Fire Marshal. Mr. Vey reported Chris Kletzing has passed his Fire Marshal test and is now certified. Mr. Vey made a recommendation to appoint Mr. Kletzing to the position(s) of Fire Marshal and Zoning Officer.

Mr. Mininger made a **MOTION** to appoint Mr. Kletzing the position(s) of Fire Marshal and Zoning Officer. The motion was seconded by Mr. Strunk and passed unanimously.

Sound System: Mr. Kletzing presented a proposal to upgrade the sound system. Mr. Kletzing stated he has received three quotes for audio/visual upgrades. The best quote was received from Artistic Video and Sound in Coopersburg. The proposal includes reuse of the existing cable, upgrades to microphones, and integration with Zoom. All devices are ADA compliant. Mr. Kletzing stated he would like to purchase two televisions to mount to the wall which would help with Zoom coverage during meetings and could also be utilized for Emergency Management. The quote for two televisions and mounts is \$1600, the audio/visual is \$14,400. Mr. Vey asked if there is wiring involved with the TV. Mr. Kletzing stated we would be responsible to mount the TV's and Artistic would run the wire. Mr. Kletzing stated a camera will be mounted on the ceiling which will capture the board and podium area during the meetings. Mr. Courduff asked how much of the old system will be utilized. Mr. Kletzing stated just the wiring for the microphones, everything else will be new. One quote received totaled \$65,000 and the other quote totaled \$20,000. Artistic Video and Sound provided a quote with a total cost of \$16,900 for the purchase and installation of the audio-visual system. Mr. Kletzing stated the company does a lot of business in the area and were recommended by other businesses.

Mr. Courduff made **MOTION** to approve the quote provided by Artistic Video and Sound which shall not exceed \$17,000. Mr. Mininger seconded the motion and the motion passed unanimously.

Public Comment: Mr. Dougherty of Lucky Lane asked for a status update on the ongoing issues regarding the open space now that Mr. Weidman has sold his home and there is no one on the HOA Board. Mr. Kravitsky stated it is his understanding that the secretary has resigned, and he has been unsuccessful in obtaining the name of a replacement. Mr. Kravitsky stated he

s addressing the open space issue and is getting caught up to speed with the on-going issues with the development. Mr. Dougherty stated the secretary stepped down in 2018 and the bank will not remove her from the HOA without an election. Mr. Dougherty further stated a letter was issued to the HOA in care of Mr. Weidman regarding the outstanding issues. Mr. Dougherty stated as of July, another shed has been put on the open space and a fire pit in the basin. Mr. Dougherty stated there are at least 13 to 15 houses with items on the open space including a trampoline which is dangerous and a liability. Mr. Dougherty said he has been in touch with the insurance adjuster who ensures nothing would be covered if an incident occurred.

Mrs. Harper stated the defunct nature of the HOA is not something the township has jurisdiction over. The HOA consists of every owner in the development. Mrs. Harper stated the township works with the landowner and if compliance doesn't occur, liens may be placed on everyone's property as they are all landowners. Mr. Dougherty stated he understands that and that may be preferred at this point. Mrs. Harper stated the township has jurisdiction of code violations and zoning violations. Mr. Vey stated a letter of failure to cooperate will be issued along with a defunct HOA letter. If the letter is taken to District Justice and the HOA is defunct, no one will show up. Mr. Dougherty stated for 30 years people with no authority have been signing checks. Mrs. Harper noted that Milford Township does not have control over the HOA. Mr. Vey stated Milford Township does have the ability to proceed in taking the violation of ordinances to the District Justice. The Township can enforce code violations and if necessary, lien every house, which could be a disaster when a house is put up for sale. Mrs. Harper stated a monetary lien can go against every property in the development which may cause a problem to some homeowners who have not placed items on the open space. Mrs. Harper stated the compassionate thing to do would be to notify all property owners of a potential lien.

Mr. Vey stated a thorough inspection will be performed so nothing is missed, followed by a violation letter if applicable, to all homeowners. Mr. Dougherty stated he continues to have problems with the property owner as there are still lights shining on his house. One homeowner has decided to put a light on an antenna that shines on his property, and he cannot open his blinds at night. Mr. Kravitsky stated he will look into the light issue, if a code violation is present, it will be put in a letter. Mr. Dougherty asked for a time frame for this to be done. Mrs. Harper stated no time frame will be provided at this time and the township will do the best they can. Mr. Dougherty was requested to send an email to Mr. Kravitsky with the addresses of the offending property owner. Mr. Dougherty stated the State Police have said they do not have jurisdiction over the light complaint. Mr. Dougherty asked if there is anything the township could do to notify the proper authority regarding the HOA writing checks. Mrs. Harper suggested a letter be written to the Attorney General regarding the check writing issues. Mrs. Harper stated Milford Township does not have jurisdiction of this issue. There were no further comments at this time.

Employment Contract: Mr. Strunk announced the Board will meet in Executive Session to discuss real estate, potential litigation, and personnel.

Following Executive Session, it was moved and seconded that Milford Township enter into an annual contract to engage the services of Leo Hannon (dba Hannon Consulting) as a Public Safety Director at a yearly compensation of \$40,000.

Following Executive Session, it was moved and seconded that Milford Township enter into an annual contract to engage the services of Jeffrey Vey as Township Manager at a yearly compensation of \$150,000 beginning January 1, 2023.

Adjournment:

With there being no further business Mr. Strunk made a **MOTION** to adjourn the October 4, 2022 regular meeting of the Milford Township Board of Supervisors at 9:03 p.m.

**Milford Township Board of Supervisors
Minutes of November 1, 2022 Meeting**

Attendance: Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice-Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Assistant Manager; Peter Andersen, Township Engineer; Catherine Harper, Township Solicitor; David Winkler, Public Works Director; Chris Kletzing, IT Manager; and Gregg Kravitsky, Code Enforcement.

Call to Order: Mr. 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 Meeting Minutes of October 4, 2022 as written. Mr. Courduff seconded the motion. The motion passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment along with the Treasure's Report of September 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Conditional Use: Milford Village, Section 1, Route 663, TMP 23-010-175-001. Mrs. Harper opened the hearing at 7:02 p.m. Mrs. Harper stated all parties have agreed to continue the hearing date to December 6, 2022 at 7:00 p.m. With there being no comments or questions at this time the hearing was closed at 7:03 p.m. A **MOTION** was made by Mr. Strunk and seconded by Mr. Courduff to approve the continuation of the Condition Use Hearing to December 6, 2022.

Subdivision/Land Development:

Mr. Vey reported Springhill Suite has reached out with several questions regarding a potential land development proposal, possibly a 2,500 square foot Starbucks with a drive thru and pick up area. The site is part of a previous land development with an approved pad site. Three questions were asked. The first question raised was if a drive thru and menu board signs would be possible. Mr. Vey stated under the current ordinance Zoning Hearing Board approval would be required. The second question was if there would be a requirement for traffic impact study or if a fee in lieu of would be possible. The third and final question was if a condominium would be possible. The owner would like to sell the existing hotel separate from the restaurant. If the proposal would be required to be subdivided, there would be a much greater required setback for each site. Mr. Vey stated there is no problem with the use for the site, however; a drive thru use E6 is not specifically listed and may be permitted by a special exception. Mr. Vey stated the owner requests feedback on the questions raised prior to moving forward. Mr. Vey noted Dunkin Donuts is a similar use in the immediate area. Mr. Vey stated there are queuing requirements for 8 vehicles which is not permitted in the parking lot. By ordinance 50 parking spaces are required. A reduction of the requirement would need Zoning Hearing Board approval. Mrs. Harper stated to the extent buildings are not being moved, the previous plan approval applies, if the buildings are changed the owner may need an amended land development approval. If the ownership is changed without effecting the lot lines, courts have ruled this would merely be a change in ownership. If the use is not changed, an amendment would not be required. If the size of the building is changed land development is required. Mr. Courduff asked if the drive thru lane would affect the traffic pattern on Route 663. Mr. Andersen stated the drive thru lane would have to be constructed in a way as to not interfere with access. Mr. Courduff said he is unsure if traffic impact study would be needed. Mr. Andersen said a traffic impact study would be more beneficial along the corridor and maybe a trip generation comparison between a sit down restaurant and a coffee shop would be better. Mr. Vey noted a fee in lieu of preparing a traffic impact study is more appropriate. Signage will need to be researched. Mr. Courduff asked Mrs. Harper if the land development approval would need to be amended. Mrs. Harper replied the proposal would require Zoning Hearing approval first. There was no further discussion at this time.

Geissinger Plan of Minor Subdivision, Allentown Road, TMP 23-005-050. Mr. Scott Mease of Mease Engineering was in attendance to present the Geissinger plan of minor subdivision along with the applicant, Mr. Jay Geissinger. The applicant proposes to subdivide approximately 30 acres into 2 lots, a 28-acre lot and a 2-acre lot. The parcel is currently being farmed and will continue to be farmed. The parcel is located in the RA Zoning District. Both parcels will contain 25' of access onto Allentown Road. There are some areas of woodland and steep slopes present of the parcel. There are few natural resources located on the proposed lot. Mr. Mease stated all items found on the Andersen Engineering review letter dated October 6, 2022 will comply. Mr. Mease addressed Zoning Comment Z1-which states the plan is proposing to follow Section 530.c, which exempts the subdivision from providing open space. However, in order to qualify for the exemption under Section 530.c, the applicant must satisfy Sections 530.c.3, 530.c.4, 530.c.6, and 530.d. Mr. Mease stated if the applicant proposes a further future subdivision dedication of open space would occur at that time. Mrs. Harper asked if on-lot sewage disposal is being proposed on lot 1 at this time. Mr. Mease stated not at this time. Lot 2 will be improved with onsite sewage disposal and lot 1 will not be improved, a waiver will be sought. Mrs. Harper stated a note is needed on the plan. Mr. Courduff stated there is a substantial number of SALDO comments found on the Andersen Engineering review letter. Mr. Courduff asked Mr.

Mease if all items will comply. Mr. Mease stated yes, essentially, except for comments 5, 6, 7, and 8. Waivers will be sought for these items. What he would like to focus on are 5,6,7,8, waivers will be asked for these comments, the installation of curbs, sidewalks, street trees and 56 feet for a lane lot. Mr. Courduff asked if there were any issues with the dedication of the Allentown Road right-of-way. Mr. Mease stated not at all. Mr. Vey noted the Planning Commission has made a recommendation that a note be added to the plan restricting the property from further subdivision at this time and the open space requirement be demonstrated. Mr. Vey noted there should be a provision that states there must be a means of notification to any subsequent owners which could be accomplished with a declaration that gets recorded. The language should include that if the owner acquires further property in the future a subdivision could be performed. Mrs. Harper stated the declaration should be recorded with the larger parcel and a note should be added to the plan that states open space would be required for both lots. Mr. Vey asked how a future buyer would know that and asked if a document could be recorded stating such. Mrs. Harper asked if the property is in clean and green. Mr. Geissinger replied it is. Mr. Vey noted as it stands right now there is no further subdivision of the larger lot and stated we should be explicit with a declaration including the narrowness of the driveway and the obligation of open space. There was no further discussion at this time.

Moyer Milford Square Sketch Plan, 2060 Allentown Road, TMP 23-10-81. Mr. Scott Mease of Mease Engineering presented the plan of subdivision for the Moyer, Milford Square proposal. The property is located on the west side of Allentown Road in the VC-2 Zoning District where a minimum lot of 15,000 square feet for B1 use is required. An existing house is present on the southern portion of property, future lot 1, proposed lot 2 and 3 are currently lawn. Mr. Mease stated no natural resources are present on the property. The applicant proposes to create two new lots, which will contain a single family dwelling. Mr. Mease stated the plan was presented to the Planning Commission on June 29, 2022. Mr. Mease noted the Planning Commission supports the requested waivers of installing curbs and sidewalks and suggest a waiver be submitted to Milford Trumbauersville Water Authority as the property is located within the public water service area and the applicant proposes to install wells to serve the proposed lots. Mr. Mease stated the waiver request has been submitted to the Water Authority. Mr. Mease stated sewer is present on site along with an existing well which serves the existing home. Public water is located approximately 1,000 linear feet from the property. Mr. Courduff asked for confirmation that the site is located within the public water service area. Mr. Mease confirmed it is. Mr. Strunk stated the waiver request was turned down by the Water Authority. Mr. Mease stated a letter was submitted to the water Authority and the request was denied. It was recommended the site be serviced by public water the vote was not a unanimous vote. Mr. Mease stated when he spoke to Mr. Koenig it was said that the Water Authority is an advisory board, and the Board of Supervisors would be the deciding entity. Mrs. Harper asked if the waiver is being requested due to cost. Mr. Mease stated it is and to tie into public approximately 1,000 liner square feet of pipe and 21 laterals would be required to be installed with an estimated cost of \$250-\$300K which is not feasible for a project of this nature. Mr. Mease stated when the line is run the new wells would be abandoned and property would be tied into public. Mr. Courduff noted some of the expense could be reimbursed by other residents who may wish to tie into public water. Mr. Courduff stated he was unaware we were talking about service lines, and he thought it was a service line from Milford Square Pike to Allentown Road and noted Milford Township does not have a mandatory connection at this time. Mr. Courduff further stated that he has not seen any calculations that show costs or benefits to the community, fire department and such. Mr. Mease stated he will provide a cost estimate for review and noted he is not talking about a lateral to tie into the house, just to the curb stop. Mr. Courduff stated the Water Authority should be asked what their recommendation is and if they want public water service the township should back that up. Mr. Mease said he would like to meet with the Water Authority Board to discuss as he did not attend the meeting where the issue was voted on. Mr. Mease stated it was noted that there is a regulation found in the Subdivision Ordinance so the township would have the power to waive the requirement. Mr. Strunk stated he would like to see what is really being done and what the cost is. Mr. Andersen stated he will meet with Mr. Mease to discuss. Mr. Courduff said if the applicant is proposing a subdivision in a public service area, then a connection to public water should be made. Mr. Mease stated a project of this magnitude does not carry the costs. Mr. Mease presented the waiver request from installing curbs and sidewalks along the property. Mr. Mease stated curbs and sidewalks are present on the east side and not the west side of Allentown Road. Mr. Strunk stated the waiver should be sufficient.

Quaker Pointe Hotel, 1915 John Fries Highway, TMP 23-010-021-001. Mr. John Melham of Melham and Associates was in attendance to present the Quaker Pointe Hotel proposal along with Mr. Frank Baxter, architect for project. Mr. Melham stated there are no issues with the comments found of the Andersen Engineering review letter dated October 10, 2022. In regard to stormwater all items but one has been addressed. It has been noted that there may be need of an inlet at the entrance of the site to capture stormwater prior to entering the site. At this time calculations have not been performed. Mr. Melham stated if an inlet will be installed if needed. Mr. Melham stated the waiver requests were presented to the Planning Commission and a recommendation to grant the waivers was made. Mrs. Harper asked if there are any zoning issue to address with the board. Mr. Melham stated there is one new waiver being requested which deals with the new pond that has to do with freeboard. Mr. Melham stated Mr. Andersen agrees with request for the waiver. A question came up regarding the parking for the hotel. Adequate parking is present on the site. An existing easement on the adjacent property has been utilized, 14-spaces.

The easement exists to this day. Mr. Melham per email correspondence the parking has been found adequate. Mr. Melham stated a review of the parking for the existing Hampton Inn, proposed hotel, and parking easement agreement was done. It was found that there is an excess of 20+ spaces on the Hampton Inn site. In sum, the subtotal shows the Hampton Inn has adequate parking and can contain the 14 spaces found in the easement. An agreement will be made between both hotels to use the excess parking for the proposed hotel. Mrs. Harper asked if the recorded easement is in favor of the gas station. Mr. Melham stated no, the easement is in favor of the hotel, however; the applicant can show compliance with the parking with an easement on the Hampton Inn site. Mr. Melham stated there is a driveway that connects the two hotel properties as requested by staff and the Fire Department. Mr. Melham stated the applicant is happy to enter into a parking easement agreement between the two hotels. Mrs. Harper stated she will speak with the applicant's solicitor and an agreement will be worked out. Mr. Mininger asked who the easement will favor. Mr. Melham stated it favors the record owner of lot 9 and serves rights to lot 9. Mr. Melham stated in the design layout there are no provision to provide any steps for the level change in easement parking, no sidewalks either. An easement agreement will be created between the owners and recorded against each parcel. Mr. Courduff asked if there are any changes that will need to be done requiring the buffer if utilizing the spaces at the Hampton Inn. Mr. Andersen stated no, and a waiver has been requested. Mr. Andersen asked if notification was made/received from the Pipeline company for access as there are rules that will need to be followed. Mr. Melham stated all piping is away from the pipeline. The connection at Quaker Way will go over the transcontinental pipeline. Mr. Andersen stated the authority will run the last 20-30', which will be off site. Mr. Vey noted there is .19 acres of required open space and asked if a fee-in-lieu of would be preferred. Mr. Vey further noted the detention basin, located on the Quaker Pointe side, will be maintained by the owner rather than the township taking ownership. Mr. Andersen added that a regional basin is being utilized rather than stand-alone. Mr. Courduff asked if a decision has been made regarding the need for a traffic impact study. Mrs. Harper stated as part of the conditional use approval it was determined that the applicant shall contribute \$30,000 toward the Capital Improvement fund, there was no discussion on a traffic impact study. Mrs. Harper stated a draft resolution will be created and presented for approval at the next meeting. Mr. Melham stated he is requesting conditional approval at this time, subject to the easement agreement, waiver request, revision of plan, and compliance with the Andersen Engineer review letter. Mrs. Harper stated she would not advise the board to offer a conditional approval and a draft resolution should be created and reviewed prior to an approval being offered. No further comments were offered at this time.

Other Business:

St. Luke's Redevelopment Assistance Capital Program Rescoping Request. Mr. Vey stated a request has been received from St. Luke's to utilize the RACP award for the upcoming Emergency Department Expansion. Milford Township is the Project Sponsor for St. Luke's Hospital, essential a pass through for the grant. To date the grant has not been moved on.

Mr. Strunk made a **MOTION** to approve the St. Luke's Redevelopment Assistance Capital Program Rescoping Request in accordance with the same terms and conditions currently in place. Mr. Courduff seconded the motion. The motion passed unanimously.

Correspondence:

Bucks County Airport Authority. Mr. Mininger presented the Bucks County Airport meeting minutes. Mr. Mininger stated renovations for terminal building are ready to go as soon as the weather cooperates. The contractor has obtained all the required parts and plans to put the windows in over the winter. The ramp area in front of the terminal building will be rehabbed and enlarged and will be bid for a spring start. The NPDES permit is in place. There was a bump in the Doylestown unway that has been repaired. Mr. Courduff asked if the Airport Authority is okay with tree removal at this point. Mr. Mininger stated there is a quandary with a neighboring property and a tree being removed.

Quakertown Area Planning Committee. Mr. Vey reported the minutes of the September 13, 2022 meeting address comments regarding the Milford Village Seventh Revised Master Plan. The Committee expressed concerns with the sites stormwater management. The comment suggested that assurances be made that the stormwater facilities are adequately designed and constructed to manage the additional impervious surfaces from the previous phases and the proposed improvements. Specific attention was called to the western end, which is sloped to adjacent properties. Mr. Andersen stated some of the drainage area is forced to the east and that is where a lot of the stormwater goes and a review will be done with the latest plan revision.

Milford Township Water Authority. Mr. Vey reported the minutes of the Milford Township Water Authority reflect routine business and are available for review.

Milford Trumbauersville Area Sewer Authority. Mr. Vey reported the minutes of the Sewer Authority addressed routine business and are available for review.

Reports:

Code Enforcement. Mr. Kravitsky presented the Code Enforcement Report for October 2022. A total of 24 permits were issued in October: 4 zoning permits, 8 residential renovation permits, 8 residential accessory permits, and 4 commercial permits. A total of 11 Use & Occupancy permits were issued and no fire inspections were performed. One Zoning Hearing Board Application was received.

Public Works. Mr. Winkler reported the Public Works Department the Public Works Department had a busy month removing lead ash trees along the walking trails. We removed 197 trees on Barrel Run Trail and 25 trees on Parkside Trail. Dave's Services was out to assist the crew for two days in removing the larger trees. Lemus Construction completed the second half of the roof at the public works building and replaced the roof on the modular home on Allentown Road. Line painting was completed throughout the township. Sacks and Sons paved three developments, Franklin and Harrison laying 300 tons of 9.5 mm, Meadow Lane laying 286 tons of 9.5 mm, and Wallace Way laying 188 tons of 9.5 mm. AMS finished crack sealing throughout the township.

Park Board. Mr. Vey presented the Park Board meeting minutes of October 12, 2022. Mr. Vey reported the tube slide at Valley View II was replaced. The hand ball court at Molasses Creek Park has structural issues and the Park Board would like the Board to consider demolition if it is found not structurally sound. Mr. Vey asked Mr. Winkler if the structure has been looked at. Mr. Winkler stated yes, and the blocks are filled with concrete. It was stated that there have been good reviews on the disc golf course. Quotes for the repainting of the park entrance signs for Molasses Creek Park and Unami Creek Park are being sought. The Park Board had a discussion regarding the maintenance of Fernbrook Park. The focus was on the current condition of the pavilion. Mr. Vey reported the pending splash pad project is still underway. A purchasing plan is being prepared for approval. We will be looking at upgrading bathroom facilities as well as plantings at the concert pavilion.

Trumbauersville Fire Company. Mr. Strunk stated the written report for Trumbauersville Fire Company is available for review.

Milford Township Fire Company. Ryan Hunsicker reported the state contract has been handled. Ford has cancelled about 2,000 vehicle orders. The Fire Company has had a discussion regarding vehicle purchasing.

Managers:

Park Board Letter of Interest. Mr. Vey reported Mr. Jerry Hertz has entered a letter of request to be a member of the park board.

Disc Golf Event Request. Mr. Vey stated a request for a disc golf tournament has been received from B.S. Bochantin Upshot. The event would take place at Unami Creek Park on March 11, 2023. Mr. Strunk stated an insurance certificate must be provided.

Mr. Mininger made a **MOTION** to approve the request for a disc golf tournament to be held at Unami Creek park of March 11, 2023 with the condition a certificate of insurance be provided. The motion was seconded by Mr. Strunk and passed unanimously.

Healthy Kids Run Request. A request has been made by Abby Romig, Program Manager for Healthy Kids, to hold a Healthy Kids Running Series at Molasses Creek Park every other Sunday beginning the weekend of April 16, 2023 through June 11, 2023. A certificate of insurance will be provided.

Mr. Strunk made a **MOTION** to approve the request to hold a Healthy Kids Running Series at Molasses Creek Park every other Sunday beginning April 16, 2023 and ending June 11, 2023 with the condition a certificate of insurance be provided. The motion was seconded by Mr. Courduff and passed unanimously.

Spinnerstown Hotel Conditional Use Fee Reduction Request. Mr. Vey stated the Spinnerstown Hotel would like to install a carport on each side of their existing garage which is permitted by a Conditional Use. The owners have requested a reduction in fees due to the minimal impact the proposal would create. The applicant will provide an escrow to cover all fees assessed.

Mr. Strunk made a **MOTION** to approve the fee reduction request. Mr. Mininger seconded the motion. The motion passed unanimously.

Hiring of full time Public Works Employee. Mr. Vey recommended Mr. Tyler Kemmerer, who has worked as a seasonal part time employee with the township for a year, be hired as a fulltime public works employee. Mr. Winkler stated Mr. Kemmerer does a good job and would be a benefit to the township.

Mr. Strunk made a **MOTION** to hire Mr. Tyler Kemmerer as a fulltime Public Works employee. The motion was seconded by Mr. Mininger and passed unanimously.

Waiver of Fire Inspection Fees for the Milford Township Water Authority and Milford Trumbauersville Sewer Authority. Mr. Vey stated the Milford Township Water Authority and Milford Trumbauersville Sewer Authority have requested a waiver of the fire inspection fee.

Mr. Courduff made a **MOTION** to approve the waiver of the fire inspection fee for the Milford Township Water Authority and Milford Trumbauersville Sewer Authority. Mr. Strunk seconded the motion. The motion passed unanimously.

Mr. Vey announced Mr. Willauer has submitted a Zoning Hearing Board Application for the property on John Fries Highway. The application will be heard the second Tuesday in December. Mr. Vey stated he sat down with Mr. Willauer to discuss the course of action. A review of the records was performed. It has been determined a Special exception or/or an interpretation is required. A determination was made that the building was exempt from the building code under the UCC. The provisions do not include a retail building. Mr. Willauer will contact the third-party building inspector to perform an inspection of the building which will include ADA compliance. Mr. Willauer has been in contact with the Bucks County Conservation District regarding alterations of drainage patterns, lot of fill has been brought in, if continued activity continues a cease and desist order will be issued.

2023 Preliminary Budget.

Mr. Vey presented the 2023 Preliminary Budget. Mr. Vey stated the Township is in a strong financial position with a balanced budget. America Rescue Funds were received last year and there are reserves that get carried over. The budget reflects a \$700,000 overage due to the ARP fund. The township did receive substantial funding, in excess over a million dollars over 2 years. The HVAC system in the Township Administration Building is over 30 years old and we are looking to replace the system along with purchasing two pickup trucks, bucket truck, and an upgrade to our sound system in the meeting room utilizing the ARP funds. The total revenue is \$3,055,734 and \$3,771,433 of expenses taking the APR funds into account a balanced budget is achieved. The revenues have been projected to be on the low end and we do not anticipate large transfer taxes, a spike can be seen when larger projects are built. Projects are done on lower revenue and expense projection. The interfund transfers must be looked at yet. With the reserves in the general fund, the areas where it may be prudent to do interfund transfers would be into the Capital Fund as it is not a funded account. The other areas are recreations where we do get funding through development. The Tree Fund still has funds in it, candidate to have funds transferred. Mr. Vey noted the Recreation Fund projects have a budget \$265,000 and equipment at \$25,000 which would cover concert in the park series. Mr. Vey asked if there were any questions at this time. Mr. Courduff stated he went through the budget and everything looks okay, it is a good looking budget.

A **MOTION** was made by Mr. Strunk and seconded by Mr. Mininger to approve and advertise the 2023 Preliminary Budget. The motion passed unanimously.

Escrow Release:

Alternative Energy Group LLC, Bauman Road, escrow close out. Mr. Strunk made a **MOTION** to approve the escrow release for the Alternate Energy Group project. Mr. Mininger seconded the motion. The motion passed unanimously.

Bucks County Emergency Services project close out. Mr. Strunk made a **MOTION** to approve the escrow release for the Bucks County Emergency Services project. Mr. Mininger seconded the motion. The motion passed unanimously.

Public Comments:

Mr. Rich Schilling, 2112 Scheetz Church Road, stated he finds it amazing that Windy Springs came in with a waiver of Land Development request when they proposed the same thing the Willauer Farm has done. Mr. Shilling stated the Board did question this at the March 1, 2022 meeting. Mr. Shilling stated he did hear what Mr. Vey said regarding zoning and said an application for land development should also be submitted. Mr. Vey stated a Highway Occupancy Permit, and waiver and/or and development would be done. Mr. Shilling noted, just for the public, there is a farm field next door who is having drainage issues after a ton of impervious surface was installed. The neighbor stated he was told it was AG and was exempt. Mr. Shilling said per the ordinance the construction of buildings and driveways are not exempt. Mr. Shilling stated the property is not on a back road and is highly visible. Mr. Shilling stated he spoke with the previous Zoning Officer who confirmed it was presented as an AG building. Mr. Shilling noted the Zoning Officer also said he reported this to his supervisor. Mr. Vey said he spoke to Mr. Cordero to see what was going on. The application was discussed at length, records were pulled and reviewed with the newly appointed Zoning Officer. The whole process has been set in place. Mr. Shilling stated he hopes the Board recognizes there are neighbors next door. Mr. Vey said he spoke with the Bucks County Conservation District today and it is obvious there was something that has happened out there. Mr. Vey said history cannot be changed and we will move forward. We will also be looking at aerials of the site and in the rear of the property as well.

Mr. Raymond Dougherty of Lucky Lane asked for a status update on the ongoing issues at Lucky Lane. Mr. Kravitsky stated he has been out to visit the property, walked and documented issues and letters will be sent. Mr. Dougherty asked who is

responsible for the HOA now. There are three elected people and 4 are needed. One has moved, one refuses to speak to him. A sign was placed on the community mailbox regarding a meeting, which does not meet the requirements to hold a meeting. He ripped the notice down. Mr. Kravitsky stated all owners are the responsible party of the HOA. Letters have been sent, without response and it is not the responsibility of the township to figure out who was voted in. Letters will go to all homeowners. Mr. Dougherty stated he took the advice of Mrs. Harper and went to Stat's office and spoke with an aide. They do not want to hear anything about criminal allegations. He since has gotten numbers for the Criminal Department of the Attorney General's office. Mrs. Harper stated the Attorney General should handle the HOA. Mrs. Harper stated the township has certain responsibilities, zoning is one of those, reconstituting an HOA is not. Mr. Dougherty had asked about the township taking over management since all paperwork says it is a planned unit development. Mr. Dougherty said his next door neighbors insisting that it was said that the HOA could be taken back and taxes reassessed. Mrs. Harper stated that was not said, ever.

Adjournment:

With there being no further business Mr. Strunk made a **MOTION** to adjourn the regular scheduled meeting of the Milford Township Board of Supervisors at 9:25 p.m.

Milford Township Board of Supervisors' Meeting Minutes
December 6, 2022 - 7:00 pm

Attendance: Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice-Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Assistant Manager; Peter Andersen, Township Engineer; Catherine Harper, Township Solicitor; David Winkler, Public Works Director; Chris Kletzing, IT Manager; and Gregg Kravitsky, Code Enforcement.

Mr. Strunk made a **MOTION** to amend the agenda to include executive session to discuss consideration of real estate matters. Mr. Mininger seconded the motion. The motion passed unanimously.

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

Approval of Minutes: Mr. Courduff made a **MOTION** to approve the Meeting Minutes of November 1, 2022, with a minor clerical revision. Mr. Strunk seconded the motion. The motion passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment along with the Treasure's Report of October 2022. The motion was seconded by Mr. Courduff and passed unanimously.

Announcements: Mr. Kravitsky announced the Zoning Hearing Board will meet on December 13, 2022 to consider the application of Michael Coen for a Special Exception to allow a home occupation for a trade and repair service, namely firearms, under sections 404.H1.h and H1.i for the property located at 1531 Fels Road, TMP 23-007-119-002 in the RA Zoning District. Mr. Kravitsky stated a continuation request has been received for the application of Kevin Willauer for the property located at 2000 John Fries Highway, TMP 23-010-090 in the RA Zoning District. Mr. Willauer seeks a Special Exception, Interpretation/Appeal, and/or Variance, to allow an agricultural retail store exceeding 750 sq. ft to sell produce under section 404.A7. The hearing will be held on January 10, 2023. Mr. Courduff asked if any public comment was received regarding the application of Mr. Coen. Mr. Kravitsky stated no comment was received.

Conditional Use:

Spinnerstown Hotel, 2195 Spinnerstown Road, TMP 23-002-075, Expansion of existing tavern. Mrs. Harper opened the hearing at 7:05 p.m. Mrs. Harper stated an application was received from Mr. John Dale, owner of the Spinnerstown Hotel. The applicant seeks approval to expand the existing tavern by adding two carports to the existing accessory structure. Mrs. Ambron stated the Planning Commission made a recommendation of approval at the meeting of November 30, 2022. Mr. Andersen stated he did not perform a review of the application as it is not an extensive use and noted there is no new impervious surface being created. Mr. Courduff asked why we are putting the applicant through a Conditional Use hearing for such a de minimus improvement. Mrs. Harper stated under the Zoning Ordinance an improvement to the tavern requires Conditional Use approval. Mrs. Harper stated public comment could be taken at this time.

Mr. Courduff made a **MOTION** to approve the Conditional Use Application of the Spinnerstown Hotel for the property located at 2195 Spinnerstown Road, TMP 23-002-075, for the expansion of an existing tavern, namely the installation of two carports to an existing detached accessory structure. The motion was seconded by Mr. Mininger and passed unanimously.

Milford Village, Section 1, Route 663, TMP 23-010-175-001. Mrs. Harper opened the Conditional Use Hearing at 7:08 p.m. Mrs. Harper stated hearings have been held previously on Section 1, which consists of proposed apartment and retail. The Board had requested a traffic study be performed due to Route 663, located in the Arterial Overlay District where a certain amount of improvements are required. The application was submitted without a traffic study. A study has since been performed and is under review. The applicant is willing to have the hearing continued to a date certain, being January 17, 2023. With the first meeting of the year being a reorganization meeting, rather than complicate the meeting the hearing will be held on January 17, 2023. Mrs. Harper entered into the record an Exhibit being a fully executed Milford Township Waiver of Time Limitations granting a waiver of time extension until March 31, 2023 for the land development/subdivision application(s) for Milford Village Section 1, Apartments and Retail and a waiver to hold the Conditional Use Hearing scheduled for December 6, 2022 to a date certain, being January 17, 2023. Mrs. Harper stated we have permission under the Municipalities Planning Code to wait to hold the hearing until January 17, 2023, at which time we are hoping to have the traffic study and our experts reaction to the study. Mrs. Harper stated one thing we will be doing at the

Conditional Use Hearing is reviewing the Master Plan. Mrs. Harper stated the Master Plan Conditional Use will deal with when the improvements must be done and what triggers the improvements. No traffic improvements were proposed with the original submission. Mr. Courduff asked if there is to be no investment or financial security made on 663 in regard to the application until their project is built. Mrs. Harper stated yes, but it does not have to be agreed with. We want to have good evidence in front of us, that would include a traffic study by the applicant and a response to the study by the township's traffic engineer. Mr. Courduff stated the whole basis is the approval of the traffic impact study and if it is not approved or agreed on we have to go back to square one. Mrs. Harper stated the biggest outstanding issue on the Master Plan is the traffic study. During the hearing what should be discussed is what is presented in the traffic study and what our traffic engineer suggests. Conditions can be placed on the improvements. Mr. Courduff asked if there are timelines set for the traffic improvements at this time. Mr. Andersen stated there are not. Mr. Vey stated Mr. Andresen, Mr. Fiocco, and Ms. Pantalone met to review the traffic impact study since Ms. Pantalone is the numbers person and thought it was confusing. They have a review of what was submitted and have concerns with the numbers and how they were generated. There are also concerns with targets moving, primarily Abby Lane. The applicant is currently proposing a cul-de-sac at Abby Lane where the traffic would not access 663. All traffic to the turnpike would be handled at Commerce and LifeQuest Drive which would require 375 feet of lengthening of the stacking lane. If Abby Lane connects to 663 we need to look at the impact that the development is generating to see what is needed at that intersection. One big concern is if all traffic is pumped to the Commerce Drive intersection the next thing coming in gets stuck with all required improvement. If they do phase, where Abby Lane does not make an intersection with 663 the lefts to Commerce Drive should be accommodated by the stacking lane. There is also a double left exiting at LifeQuest Drive that would require concrete and a mast arm for the signal, which may need to be moved. Mr. Vey further stated there is investment going into existing intersection to accommodate the traffic. There seems to be two ways to handle, one is to evaluate as if Abby Lanes makes the intersection and the other is do an inverse trigger threshold for Abby Lane to take access to 663 which would require widening. Mr. Courduff asked Mr. Vey to define Abby Lane is it right in right out only or left turn in as well. Mr. Vey stated immediately there is no access and in the executive summary they point to right in right out left in only. At one point there was right in right out only, but they are building a left turning lane on 663. The plan has evolved to no access to Abby Lane from 663 until after the apartments are built. Mr. Courduff asked if the traffic study is a final study on the applicants' behalf. Mr. Vey stated, yes and a review will be going out that gives the difficulty of the numbers, the traffic generation is not based on trip generation which is not common. There is a lot that needs to be resolved. Mr. Courduff asked if the township's traffic consultant give an executive opinion of the study. Mr. Vey said they will, and it will be multi-staged, for them to do a legitimate review the numbers have to be right. There are other with the trip generation as well as GPS and directions. Not really related is the roundabout detour going into place on December 20th and here are implications with the GPS taking you through the development to Commerce Drive. Mrs. Harper stated these are all things the Board can study prior to the Conditional Use hearing and if available our traffic engineer should be at the hearing. Mr. Vey stated they have been advised and will try to get to more common ground prior to the meeting. The hearing was continued to January 17, 2023. Mrs. Harper asked if there was public comment at this time. Hearing none, Mrs. Harper closed the hearing at 7:21 p.m.

Subdivision/Land Development:

Vacubraze Inc., 2200 Kumry Road, TMP 23-021-012-002, Revised Waiver of Land Development Plan. Mr. Scott McMackin of Cowan Associates was in attendance to present the revised waiver of land development plan. Mr. McMackin stated there has been a revision to the layout of the interior of the proposed addition. The building has since gotten smaller with a decrease in impervious surface. Following a review of the proposed revised plan Mr. Andersen recommends approval of the plan as the changes are de minimis.

Mr. Courduff made a **MOTION** to approve the revised Vacubraze Waiver of Land Development Plan for the property located at 2200 Kumry Road, TMP 23-021-012-002, bearing a plan revision date of August 18, 2022. The motion was seconded by Mr. Miner and passed unanimously.

Quakertown Logistics (NFI Quakertown), TMP 23-010-023, Revised Stormwater Conveyance Plan. Mr. Anderson stated during the approval of the New Road project the developer had requested a conditional reduction of the parking spaces to be built. The applicant was to show reserved parking spaces on the plan, which was done. It has since been discovered that there is an interference with the Transcontinental Pipeline. A minor modification to eliminate the conflict and still accomplish the required stormwater controls has been proposed. Mr. Andersen recommends the modification be approved, with the condition that the developer provide spot elevations and as-built information following construction.

Mr. Mininger made a **MOTION** to approve the Quakertown Logistics Revised Stormwater Conveyance Plan with the condition the developer provide spot elevations along with an As-Built plan. Mr. Courduff seconded the motion. The motion passed unanimously.

Quaker Pointe Hotel, 1915 John Fries Highway, TMP 23-010-021-001, Final Land Development Approval. Mr. Strunk announced the Quaker Pointe Hotel Final Land Development Approval has been tabled. Mrs. Ambron stated a time extension is in process and there were issues with the required Easement Agreement which is to be submitted and reviewed prior to any approvals being granted.

Milford Village, Section 1-Apartment, Route 663, TMP 23-010-175-00 / Milford Village, Section 1-Retail, Route 663, TMP 23-010-175-001. Mr. Strunk announced the Milford Village Section 1 Apartments and Section 1 Retail have been tabled. Mr. Andersen stated the applicant has filed Land Development plans for Section 1 East, apartments and Section 1 West, retail. They have also filed a Conditional Use Application for the Seventh Revised Master Plan. Associated with the plan are triggers regarding traffic improvements. Mr. Andersen stated the last plan reviewed had a trigger for the apartments that built no improvements. There was a lengthening for the turning lane and there was a requirement for two left turn lanes coming out of LifeQuest Drive. The other trigger is everything else, the next one in must complete everything. Mr. Courduff stated one comment notes that the financial security was not in place. If the property is flipped, the new owner is on the hook as there is no financial security in place to ensure the improvements are done. Mr. Courduff stated traffic is already being stacked at Allentown Road. Mr. Andersen stated he hopes to have a meeting with the applicant prior to the meeting to clean up the study for an easier discussion. Mr. Strunk stated he is more worried about a left out of Abby Lane onto 663, which will create a mess, like Mill Hill Road that we just cleaned up. Mr. Andersen stated perhaps Abby Lane not being built is a good thing and if all traffic can be moved to LifeQuest Drive and improvements be made there it will be best. Mr. Strunk stated if the widening of 663 is not secured with the apartments, it never will be. Mr. Courduff asked if the traffic impact review on our side would consider how much congestion there would be if Abby Lane accessed 663 and/or if Abby Lane was a cul-de-sac and required everyone to go to the centralized signalized intersection at Commerce Drive. Mr. Andersen stated that is an excellent place to start a meeting. Mr. Courduff stated nothing has been hidden from any applicant coming in, they are not to mess up the arterial highway. The hospital spent millions in traffic improvements and hundreds of thousands of dollars have been spent by the township for the future widening of 663. It has not been a secret. Mrs. Harper stated all of this will be discussed at the hearing with the applicant.

Other Business:

Approval of 2023 Meeting Schedule. Mrs. Ambron presented the Milford Township schedule of regular meetings of the Board of Supervisors, Planning Commission, and Zoning Hearing Board for the 2023 calendar year. All meetings are open to the public and begin at 7:00 p.m. Meetings are held at the Township Building located at 2100 Krammes Road, Quakertown, PA 18951. The Board of Supervisors Re-Organization Meeting will be held on Tuesday, January 3, 2023, due to the holiday. The regular meetings of the Board of Supervisors are held the 1st Tuesday and 3rd Tuesday (only when required) of the month with the exception of the following dates: May 16, 2023 (General Primary Election) changed to May 17, 2023; July 4, 2023 (Independence Day) changed to July 5, 2023; and November 7, 2023 (Election Day) changed to November 8, 2023. The Milford Township Planning Commission members meet the last Wednesday of the month and the Zoning Hearing Board members meet the second Tuesday of the month.

Mr. Strunk made a **MOTION** to approve and advertise the 2023 Meeting Schedule. Mr. Courduff seconded the motion. The motion passed unanimously.

Correspondence:

/FW Post 11322 Donation Request. Mr. Paul Gerhart has submitted a donation request letter seeking a donation to the John Rivers Memorial VFW Post 11322 located in Quakertown. Mr. Courduff stated he is a 40-year plus veteran of the legion and has a problem with donating to Title 501.c.3's in general. With all due respect to Mr. Gerhart, Mr. Courduff recommended declining the offer to donate. Mr. Mininger stated he agrees and does not think it is the place of the township to donate with taxpayers' funds to any 501.c.3.

Trumbauersville Borough Emergency Operation Plan. Mr. Vey reported correspondence has been received from Ms. Marilyn Bobb, Trumbauersville Emergency Management Coordinator regarding Trumbauersville Borough's Emergency Operation Plan. Mr. Vey stated he has spoken to Ms. Bobb and informed that Milford Township would continue to offer support. Mr. Vey stated a meeting with our EMA coordinator, Chris Kletzing, and Dave Winkler should

be scheduled to review the plan. Part of the discussion had with Ms. Bob was the emergency shelter agreement Milford Township has in place with Faith Christian Academy and suggested a similar Agreement with Trumbauersville Elementary be pursued. Mr. Courduff stated it is important that our EMA coordinator get involved with this as there may be a need to make some tough decisions if both municipalities are affected.

Bucks County Airport Authority Meeting Minutes. Mr. Mininger presented the Airport Authority Meeting Minutes of October 12, 2022. Mr. Mininger stated nothing has changed. The Terminal Building is still being renovated. The ramp is scheduled to be expanded and the project will go out to bid in January. A grant application has been submitted for up to 3 hangers. To date, no news on the grant has been received.

Quakertown Area Planning Committee Meeting Minutes. Mr. Vey presented the Meeting Minutes of the Quakertown Area Planning Committees meeting of October 11, 2022. Mr. Vey reported the Committee reviewed a Preliminary Plan of Subdivision for Richland Walk for the property located on East Pumping Station Road in the SRL district. The Commission essentially endorsed the county review and recommended the township deny the requested waivers feeling that it increases density.

Milford Township Water Authority Meeting Minutes. Mr. Vey stated the Milford Township Water Authority Meeting Minutes of October 11, 2022 are available for review.

Milford Trumbauersville Area Sewer Authority Meeting Minutes. Mr. Vey stated the Milford Trumbauersville Area Authority Meeting Minutes of October 17, 2022 are available for review. Mr. Vey reported he spoke with Joe Valentine regarding the need to get the sewer service area map updated which should be an easy update. Mr. Vey stated a meeting with Mr. Andersen, Mr. Koenig, and Mr. Ciufo will be scheduled to discuss the revision. Mr. Courduff asked Mr. Vey if he is looking at revising the 537 Plan. Mr. Vey stated yes, and a revision of the 537 Plan relates to the rerate of the sewage treatment plant. A corrective action plan should be done by the Sewer Authority. Mr. Courduff asked if there has been much discussion regarding the copper discharge limits. Mr. Vey stated the minutes report a study is to be performed. Mr. Courduff stated part of the problem is many private wells have pH values that are on the very acidic side along with copper tubing in the homes that are being discharged. The Sewer Authority will have to handle, and it will be difficult. There may be a problem with updating the permit. Mr. Vey stated DEP is aware.

Reports:

Code Enforcement Departmental Report. Mr. Kravitsky presented the November 2022 Code Enforcement Report. A total of 15 permits were issued in November: 3 zoning permits, 5 residential renovation permits, 3 residential accessory permits, and 4 commercial permits. A total of 6 Use & Occupancy permits were issued and 7 fire inspections were performed. One Zoning Hearing Board Application was received. Mr. Courduff asked if there has been any follow-up regarding the Lucky Lane issues. Mr. Kravitsky stated not yet, he is in the process which has been delayed as there are 22+ homeowners with no hierarchy in place. The plan is to send correspondence this week. Mr. Dougherty of Lucky Lane attempted to offer comment but was unable to do so due to a bad internet connection on his end.

Public Works Departmental Report. Mr. Winkler presented the November 2022 Public Works Report. Mr. Winkler stated the Public Works Department started the month prepping plows and salt spreaders for the winter season. 1,000 tons of salt has been delivered adding to the 3,000 tons currently in the salt shed. Trees were planted along the stream at Wonsidler's Grove. The LED parking lot heads were placed at Unami Creek Park due to the lights slowly burning out. There was no charge for the new heads. The crew completed the intersection widening at Canary and Kumry Road with the exception of restriping the double yellow line and stop bar. 28 tons of 25mm base and 23 tons of 9.5mm wearing were put down. Brush was cleared in the parks along the disc golf course and a section of playground slide was replaced at the Valley View playground. Mr. Courduff stated the widening at Canary and Kumry Road turned out nice. Mr. Courduff asked the current price of salt. Mr. Winkler stated it is \$72 per ton, delivered. Mr. Winkler stated some quarries are reporting that the price of stone may raise to \$30 per ton and preordering may be required. Mr. Mininger asked if Mr. Winkler is getting a handle on the ash trees and if the ash trees on the Bast property would be removed. Mr. Winkler stated he is, and the crew will get to Bast as soon as they can.

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

Milford Fire Company Report. Chief Butler presented the Fire Company report for November 2022. Chief Butler reported a total of 36 calls for the month. Chief Butler stated there has been no response regarding the 2022 AFG grant yet and does not expect the grant to be awarded. A review on why the grant is not obtainable will be done. Mr.

Courduff asked if a grant writer was used last year. Chief Butler stated yes and feels insurance hurts on the grant side. Chief Butler reported the chassis for SS75 order has been confirmed. Mr. Courduff asked Mr. Winkler if the Township's order has been confirmed. Mr. Winkler stated no, the order is in and we are awaiting confirmation. There has been very limited production this year. Chief Butler stated the deputy vehicle should be here the 1st quarter of 2023. The Santa pictures went well and the Santa Run will be done on Christmas Eve this year.

Manager Report:

2021 Financial Statement. Mr. Vey reported the 2021 Financial Statement has been received and will be uploaded to the township website.

1975 Trumbauersville Road Roof Replacement. Mr. Vey reported the roof on the 1975 Trumbauersville Road rental property is leaking and we have a tenant with materials inside. There have been problems chasing the old metal roofing. After looking around it is best to remove the existing metal roof and install decking and shingles. Three quotes were received for the replacement, Jurin Roofing with a quote of \$21,872, Stephen E. Peters Roofing with a quote of \$21,800 and Lemus Construction with a quote of \$21,450. The lowest quote was \$21,450 received by Lemus Construction and work can start next week. Mr. Courduff stated the roof should be fixed as soon as possible due to the tenant's materials located in the building.

Mr. Mininger made a **MOTION** to award the roof replacement to Lemus Construction with the cost not to exceed \$21,450. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Vey reported the roundabout detour will be in place beginning December 20, 2022 and will be in place for a year. Mr. Courduff asked why we are closing roads when construction is not even being started. If a road is closed around Christmas time, and nothing is being torn up, what is the value. Mr. Vey stated construction on the utilities, such as trenching will begin. Mr. Courduff stated it was his understanding that they would be doing utility work with flagmen with limited disruption then found out road was to be closed. Mr. Vey stated he agrees, especially during the winter. Mr. Vey reported the official detours utilize state roads, Route 663 to Route 309 to Pumping Station Road, and Zionhill Road to Route 309 to Route 663. There was some discussion of using Brick Tavern Road, however; it is difficult to request an additional detour utilizing township roads. Mr. Vey stated he has been in contact with Quakertown Veterinary Clinic to try to come up with other routes. Mr. Courduff stated he cannot understand the decision of Zionhill Road over Brick Tavern Road. Mr. Vey stated it comes down to a local road and a state road.

Mr. Vey reported work has started on the Milford Square house next to the garage. The flooring has been ripped out, quotes have been received for painting, which is under the quote requirement, flooring quotes are being obtained. The leveling of the floor will be problematic which will require us to obtain quotes and possible bidding. The kitchen has been gutted and a new configuration for cabinets is being worked on. The improvements will allow the township to receive a better rental amount. Mr. Vey reported Monster Tree had an auction and G. Tally flooring looked at assuming the building with the same lease terms. The pole building needs insulation at a minimum to be kept above freezing. This work could be done as a capital improvement in lieu of rent, which must be approved prior to the work being performed, and would be approximately 1-2 years for a payback. Mr. Vey stated maintenance of obstruction removal area would cost roughly \$9,000 to \$10,000 per year depending on the number of years. The cost was provided by an outside agency. A pre-emergent herbicide cost more like \$2,500 for the 1st year then \$2,000 beyond that. Mr. Mininger asked Mr. Vey if he has spoken to Mr. Roth about the maintenance. Mr. Vey stated an outside company must be utilized if a license is required. Mr. Mininger stated the Airport Authority operation manager has a license to spray.

2023 Final Budget. Mr. Courduff stated he is absolutely delighted with the change in health insurance, it was a great move and the township is in great financial shape. There will be no real estate tax increases.

Having reviewed the Final Budget Mr. Mininger made a **MOTION** to approve and accept the 2023 Final Budget. Mr. Strunk seconded the motion. The motion passed unanimously.

Escrow Release:

Quakertown Veterinary Clinic, 2250 Old Bethlehem Pike, TMP 23-15-113. Final Escrow Release of the Quakertown Veterinary Clinic's 2004 expansion project in the amount of \$6,943.25.

Mr. Strunk made a **MOTION** to approve the Final Escrow Release for the Quakertown Veterinary Clinic 2004 Expansion project in the amount of \$6,943.25. The motion was seconded by Mr. Courduff and passed unanimously.

Maverick Prod Inc., 1155 Sleepy Hollow Road, TMP 23-001-083. Project close out for the Maverick Prod. Inc., subdivision located at 1155 Sleepy Hollow Road, TMP 23-001-083.

Mr. Strunk made a **MOTION** to approve the project close out for the Maverick Prod. Inc. Subdivision located at 1155 Sleepy Hollow Road, TMP 23-001-083. Mr. Courduff seconded the motion. The motion passed unanimously.

Public Comments:

Mr. Ray Dougherty of Lucky Lane stated on November 5, 2022 the neighbors of Lucky Lane held a meeting where Mr. Niedeman was in attendance. The Treasurer jumped out of her seat and accosted him, and the Police responded. At the meeting no nominations were made. There were three people who were said to be officers not board members. Mr. Nate Salemno, at 28 Lucky Lane is president of the HOA. Proper notice of the meeting was not provided, as required under PA law where you must state in writing that you are having an election. The election was not valid and the three are not in a position to do anything. Mr. Dougherty stated a Hudd complaint has been filed and they are dealing with Michael Weideman. Mr. Dougherty stated they have been notified that Mr. Weideman is not in a position to act on behalf of the HOA. Mr. Dougherty stated he will be in contact with Gregg this week with the names of the board members. Mr. Dougherty further stated after the meeting was over there was a bunch of drinking and some guys came in front of his house berating him. Mr. Courduff stated Mr. Dougherty continues to trash people who have voted for him who are not present to defend themselves. Mr. Courduff said Mr. Dougherty is asking the Board to resolve something they have no authority over. Mrs. Harper stated the township can deal with code violations as that is a municipal duty. Mr. Dougherty stated there are signs in place that have been there for two years, and the ordinance states the signs can be in place for 30 days, 4 times a year. Mr. Kravitsky stated he will go out and look at the signs. Mr. Dougherty stated the signs are at 30, 28, and 3 Lucky Lane. Mr. Vey asked if it is possible for the signs to be removed without notification. Mrs. Harper stated the township should make sure there is a violation before the signs are removed. Mr. Dougherty stated he has to deal with this on a daily basis and as far as trash talking it is what happened. He cannot make the HOA president come in to discuss.

Mr. Bob Flack of Mill Hill Road thanked Chief Butler for everything that was done regarding the power outage on Mill Hill Road. With all the rain the trees along the road are very loose and will come down. Mr. Flack stated there are a lot of dead trees along Mill Hill and he has taken it upon himself to remove some of these trees. Mr. Flack inquired as to the right-of-way and what the width is. Mr. Winkler stated it is a 33' right-of-way which is measured 16.5' from the center of the road. Mr. Flack asked who is responsible to remove the dead trees from the right-of-way. Mr. Winkler stated he can look at the trees and they are overwhelmed with ash trees at this time, and it is very difficult to get to all the trees. Mr. Winkler further stated if the tree is in the right-of-way the township will handle the removal. Mr. Flack asked if detour signs will be installed for the construction beginning on Portzer and Old Bethlehem Road or just road closed signs. Mr. Vey stated detour signs will be put out and the information can also be found on the township's website.

Mr. Richard Shilling of Sheetz Church Road thanked the Township for holding the line on taxes. Mr. Shilling stated he thinks we have one of the best road crews that he has ever seen and the Fire Department is busy. The only thing he asks the board to consider is, we just had a Conditional Use hearing on the Spinnerstown Hotel where there was an internal discussion amongst the board, but he didn't hear the hearing open. There was discussion about it and the public was just sitting there and had no idea. There was no briefing given and there was no call for public comment. The public should be in the loop. He has never seen a set up where there is no public comment on agenda items. Decisions are made on internal discussions and normally there is an agenda up front for public comment on agenda items and people can speak up and talk or during the course of business before money is spent or decisions are made typically places ask for public comment. Mr. Courduff stated he would normally agree with Mr. Shilling but in this case, he has been in Milford Township for over 50-years and the hotel was here prior to that, and he feels there shouldn't have been a Conditional Use Hearing. It was so over the top, the fees originally assessed for two de minimis porticos on an existing building. Mr. Shilling stated he agrees but it is still the process. It is one of those things, as someone who is knowledgeable, he can't imagine someone without that knowledge sitting in the audience watching business being conducted. It's just always a good idea to have the public weigh in on different issues.

Ms. Kathleen Afflerbach of Parkview Drive asked if a traffic study was done for the Foulks Mill and Allentown Road project for the 30 plus new houses that will access to Allentown Road. Mrs. Afflerbach stated she never heard of the project and all the sudden there is a large sign up. Ms. Afflerbach asked if a sewage study was done or a study that shows the impact to the neighbors. Ms. Afflerbach stated she moved here so she wouldn't have all this development. Ms. Afflerbach stated there is another warehouse that was just built on Rosenberger Road that nothing will go in and noted the sewage rates went up \$10 a quarter. Ms. Afflerbach stated no public information was seen on yet another housing development. Mr. Strunk stated the plan was approved in 2010 and it is a 12-year-old plan. Ms. Afflerbach asked where the kids are going to go, there is no room in schools now and further asked where the traffic will go?

Traffic is backed up from the old Route 663 to get to the traffic light. Mr. Strunk noted again, the plan was approved 12 years ago. Ms. Afflerbach asked what is going to be done to address the problems with Allentown Road and Foulks Mill Road. There are cars zooming up the roadway. Ms. Afflerbach stated it is beyond comprehension that we keep building and building. Ms. Afflerbach asked how it was known how the sewage could be handled 10 years ago. Mr. Strunk stated the 537 plan was approved along with EDU's to tie into sewage plant. The plan had been approved by DEP and is still approved. Mr. Strunk further stated there are a number of improvements that will be made to the roadway around the site and if you own a piece of land you have the right to develop that land per zoning. The review and approval of the plan was done in public, and the owner came back a year ago ready to build. Part of the final approval included agreements with the Water and Sewer Authority and improvements to the roadway. Agreements with the township are required and a deed for the open space will be provided. Mrs. Harper stated the Board did their job then and now to ensure the project is being built in conformance with ordinances. If the project did not need Zoning Hearing Board approval there is no requirement to notify neighbors. Mrs. Harper stated as a new solicitor for the township and previous Zoning Hearing Board solicitor for the township, she has watched this township grow as every other township has and land held in private ownership has the right to develop that land. The Board can approve things with conditions but cannot turn down if zoning is met. There is also a balance with open space and road improvements. Ms. Afflerbach stated she is just really concerned because all the sudden a big sign went up and it seems like Milford Township is getting eaten up with housing developments. Mr. Strunk stated the outer limits of the township are very rural and will stay that way and the Board cannot stop development.

Mr. Strunk announced the Board will meet in executive session to discuss consideration of real estate matters.

Adjournment: With there being no further comments Mr. Strunk made a motion to adjourn the regular scheduled meeting of the Board of Supervisors at 8:49 p.m. Mr. Courduff seconded the motion and the motion passed unanimously.

Milford Township Board of Supervisors' Meeting Minutes
December 20, 2022 - 7:00 pm

Attendance: Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice-Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Assistant Manager; and Catherine Harper, Township Solicitor

Executive Session: Acquisition of Real Estate-Public Action May Follow Executive Session

Call to Order: Mr. Strunk called the meeting to order at 7:07 p.m. Mr. Strunk announced the Board met in executive session to discuss possible real estate acquisition.

Mr. Mininger made a **MOTION** to amend the agenda to consider the adoption of Resolution 2022-20, A Resolution authorizing the acquisition of property on Nace Road. Mr. Courduff seconded the motion. The motion passed unanimously.

Property Acquisition: Mr. Courduff made a **MOTION** to approve **Resolution 2022-20**, A Resolution authorizing the acquisition of the Carl R. and Patricia A. Klinger properties on Nace Road by Milford Township for Open Space Purposes. The motion was seconded by Mr. Mininger and passed unanimously.

Mr. Strunk stated the village of Finland is a point source of pollution to the Unami Creek. With the purchase of the property it may help eliminate some of the pollution. The Sewer Authority had considered putting in a pump station and he feels the purchase of the property is a better solution.

At this time Mrs. Harper read the Resolution which states:

WHEREAS, the Pennsylvania Second Class Township Code permits a Township to acquire real estate for public purposes, including but not limited to open space preservation, pursuant to 53 P.S. § 66503, and

WHEREAS, the Board of Supervisors has identified the property located on Nace Road, in the Unami Watershed, near a township park, and wooded, owned n/l by Carl R. Klinger and Patricia A. Klinger, identified as tax map parcel numbers 23-008-002 and 23-008-001, parcels totaling approximately .92 acre as appropriate for acquisition; and

WHEREAS, the property has been appraised as having a fair market value of \$70,000 Thousand Dollars; and

WHEREAS, real property may be acquired by a Township of the Second Class for open space, environmental resource protection, recreation or any other public purpose by the exercise of its eminent domain powers, or otherwise,

NOW THEREFORE, be it resolved by the Board of Supervisors of Milford Township at a regularly scheduled meeting that the above-described properties located on Nace Road be acquired by Milford Township for recreation, open space, environmental resource protection or other public purpose for a price not to exceed its appraised value of \$70,000.00. And further, if necessary, that the Township shall exercise its right of eminent domain under the authority of the Second Class Township Code, to acquire the above described real property and the Solicitor, the Chairman of the Board of Supervisors and the Township Manager are hereby authorized and directed to take whatever steps are necessary to acquire the property and, if appropriate, to file a Declaration of Taking in the Bucks County Court of Common Pleas, and sign such pleadings, notices or agreements as are necessary on behalf of Milford Township.

Public Comment:

Ms. Gray of Alimingo Drive requested more detail be provided on what is to be discussed at meetings.

Adjournment:

With there being no further business Mr. Strunk made a **MOTION** to adjourn the meeting of December 20, 2022 at 7:25 p.m. The motion was seconded by Mr. Courduff and passed unanimously.