

**Milford Township Board of Supervisors’
Minutes of March 5, 2024**

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

Attendance: Supervisors present: Charles Strunk, Chair; John Mininger, Vice Chair; and Christian Haberle, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; Sean Torpey, Pennoni, and Kate Harper, Timoney Knox.

Public Comment on Non-Agenda Items: Gary Bender of Sleepy Hollow Road stated he was surprised when he learned that Bucks, Lehigh, and Montgomery counties were sanctuary counties. He wondered how the county decides on such matters if it's not put to a vote. Mr. Strunk stated he would think the County Commissioners would decide. Mr. Bender asked if this would be done without a vote and inquired if there's anything the township can do. Mr. Vey stated it can be looked into and noted the policy was enacted in 2014, citing information from CIS.org. Mr. Vey stated it appears to be strictly a sheriff's policy regarding cooperation with ICE. Mr. Bender noted it appeared on the National News Report which was well broadcasted. Mr. Bender said he has a letter going to the editor of the paper tomorrow.

John Frascella of Canary Road stated he used to work as a power guy from Philadelphia County. Due to illness, he was forced to retire. Despite his retirement, he continues to assist greatly when the power goes out on Canary Road. He expressed concern about the lack of action being taken to address the ash trees on Canary Road. He questioned why no one is taking action with PPL. He noted the affected trees are marked with tape but haven't been removed. He recounted an incident where a tree fell on his neighbor's house, the road was cleared and the fallen tree was left untouched, the power was restored without the tree being removed. Mr. Frascella stated he cut up and removed the tree. He expressed frustration at only ever hearing from Public Works, who do a great job, and wondered if there has been any communication with PPL. He noted that every storm results in a power outage. Mr. Frascella questioned why natural gas cannot be installed on the road. He expressed a desire to advocate for the township, acknowledging that some issues seem to be out of control. He understands the federal mandate regarding natural gas but wondered if anything could be done about it. Mr. Haberle stated some of these concerns could be a State Representative issue.

Approval of Minutes: Mr. Mininger made a **MOTION** to approval the February 6, 2024 and February 13, 2024 Meeting Minutes. The motion was seconded by Mr. Haberle and passed unanimously.

Financial Report: Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasure's Report of January 31, 2024. The motion was seconded by Mr. Mininger and passed unanimously.

Public Hearing: Proposed Zoning Ordinance Amendment, Section 404 B6 a.5. Performance Standard Subdivision and Section 529 Exceptions to Building Height. Mrs. Harper opened the hearing and stated the Public Hearing was continued to this evening following the March 5, 2024 Board of Supervisors meeting. The proposed changes involve modifying some of the height requirements and are now ready for action. Jeff Vey mentioned that the height is taking the exception from PC and adding it to PI, along with specifying the minimum lot size with exact wording. Additionally, he discussed the Performance Standard Subdivision in the RD Zoning District, noting that it can use the Single-Family Cluster Performance Standard, specifying types and density. Furthermore, verbiage has been added to VC-1 requiring satisfaction of the Board of Supervisors for traffic improvements. There were no comments from the QAPC. Gary Bender inquired if the Fire

Chief is okay with the changes, to which Mr. Vey responded yes, definitely. Mr. Haberle noted that the Ordinance also mentions fire sprinklers.

Mr. Mininger made a **MOTION** to approve Ordinance No. 184, Amending the Milford Township Zoning Ordinance amending Section 404.B6 Performance Standard Subdivision Conditions and Section 529 Exception to building height. Mr. Haberle seconded the motion. The motion passed unanimously.

Zoning Hearing Board: Diane and Jim Molinaro, Special Exception, 2070 Angstadt Road, TMP No. 23-001-043. Mr. Kravitsky announced the Zoning Hearing Board will meet on Tuesday, March 12, at 7:00 PM at the Milford Township Building to consider the application of Diane and Jim Molinaro seeking a Special Exception in accordance with Section 403, Table of Use Regulations, for a Home Occupation-Professional Office Use under Section 404, H1a. They operate JSM DME LLC which distributes FDA approved small medical devices for home use. Located at 2070 Angstadt Road, TMP# 23-001-043 in the RA Zoning District.

Subdivision/Land Development: Gold Street Properties (Biddle Tract), Final Plan of Minor Subdivision, Krammes Road, TMP No. 23-010-012. Mr. William Benner of Benner & Wild, attorney for applicant, was in attendance to present the Final Plan. He noted he had preliminary plan approval was granted two months ago. The plans were revised and submitted, and the Township Solicitor forwarded a draft resolution. Mr. Benner stated the only matter to discuss is the timing of the financial contributions, including the fee in lieu of road improvements and traffic and recreation fees for each lot. The aggregate of the fees was approximately \$68,000. The applicant requested that these fees be deferred until the township issues a building permit, which is when the impact of the development will be realized. Mr. Vey emphasized the importance of full disclosure and buyer obligations. William Benner proposed adding a general note to the plan to clarify that these fees are to be paid at the issuance of a building permit, as such notes constitute a covenant running with the land. Mr. Vey expressed the township's role as a gatekeeper and stressed the need for securing improvements by a Land Development and Financial Security Agreement until they are covered and completed. He suggested coming up with something associated with the property that can be discovered in a title search. Mr. Haberle supported the idea of a covenant running with the land but questioned its effectiveness, stating that buyers rarely pay attention to such notes on plans. Mr. Benner stated the request is reasonable. Mr. Dandi stated he is 50% owner and a licensed broker in multiple states and highlighted his extensive experience with this type of situation. He suggested adding deed descriptions to put restrictions in place and emphasized the importance of disclosure to buyers. Mr. Vey agreed that deeded disclosure to buyers is crucial, especially for automatic fees like recreation and traffic. Mr. Benner proposed a declaration stating that the fee must be paid before the deed can be recorded. Mr. Haberle expressed hesitation about taking such risks and suggested getting an extension on recording. Ultimately, it was agreed to revise the resolution to use a declaration/and or deed relating to improvements.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2024-09**, Final Plan Approval of Minor two-lot Subdivision for Gold Street Properties, Krammes Road, TMP No. 23-010-012 with an amendment to paragraph D, Declaration of Restrictions or new deeds for each of the two lots. The motion was seconded by Mr. Haberle and passed unanimously.

Milford Village, Section 1W-Stonewall Village Apartments, John Fries Highway, TMP No. 23-010-175-001. Del Markward and Martin Smith were in attendance to present the Stonewall Village Apartment proposal. Mr. Smith stated they are requested preliminary approval for an apartment complex. Mr. Smith said they had been out to Mill Hill Court and met with the Township Manager and Road Master to discuss the layout of the roadway. Mr. Smith stated that he had a conference call with the township engineer regarding road improvements. The plan has been revised with a trailhead,

as requested, that connects to township property on Mill Hill Court. Mrs. Harper noted that this preliminary approval contains recreational offerings, including a trailhead parking on site and a trail with a connector to township ground. She clarified that although this wasn't specified in the current resolution, it would be shown on the final plan as noted in number 6 of the resolution, plans must be revised to demonstrate compliance SALDO and Park and Recreation requirements included but not limited to installing an 8-foot-wide trail from Mill Hill Road to the apartment recreation area and providing trail head parking for 5 cars. Mr. Markward confirmed that 8 spaces will be provided, and there had been discussions about whether the open space requirements were satisfied with the trail and trailhead parking. Mr. Haberle asked if that was the only open issue, to which Mrs. Harper confirmed that the Mill Hill Court issue was resolved. Mr. Haberle had questions about the waiver, specifically whether a waiver was required for Mill Hill Court since they weren't implementing full width, curbs, and sidewalks. He suggested that a waiver might be necessary. Mrs. Harper stated this is preliminary, and a list of waivers would be submitted with the final plan. She emphasized that the applicant had agreed to provide recreational facilities benefiting the wider community.

Mr. Haberle made a **MOTION** to approve **Resolution No. 2024-10**, granting Preliminary Plan approval with conditions, for the Milford Village Stonewall Apartments. The motion was seconded by Mr. Mininger and passed unanimously.

Moyer Milford Square, Preliminary Plan of Subdivision, 2060 Allentown Road, TMP No. 23-010-081. 3-Lot subdivision in the VC-2 Zoning District. The Moyer Milford Square proposal was tabled.

Other Business:

Bucks County Planning Services Agreement. Mr. Vey presented the Planning Services Agreement for General Planning Work by the County of Bucks and Milford Township as part of the Quakertown Area Planning Committee. Mr. Vey stated this is done routinely.

Mr. Mininger made a **MOTION** to approve the Planning Services Agreement. Mr. Strunk seconded the motion. The motion passed unanimously.

Gold Street Properties, Planning Module, Krammes Road, TMP No.23-010-012. Mr. Vey presented a Planning Module for consideration for the Gold Street Properties Subdivision which needs to be done to satisfy condition of onsite septic systems. Mr. Vey stated this is a routine matter, if the board would grant that approval another step can be taken to secure permits.

Mr. Strunk made a **MOTION** to approve the Gold Street Properties Planning Module for the property located on Krammes Road. The motion was seconded by Mr. Mininger and passed unanimously.

Correspondence:

Bucks County Airport Authority Meeting Minutes. Mr. Mininger presented the January 10, 2024 Meeting Minutes of the Bucks County Airport Authority. Mr. Mininger stated PennDOT has offered a grant to expand the ramp area.

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

Milford Trumbauersville Area Sewer Authority Meeting Minutes, 2022 and 2023 Financial Statements. Mr. Vey stated the Meeting Minutes of the Milford Trumbauersville Area Sewer Authority are available for review. Mr. Vey stated he spoke with Harry Koenig and got a copy of the 537 Plan. Mr. Vey stated the intent is to turn it around quickly. Mr. Vey noted Financial Statements were received and there were no findings.

Reports:

Code Enforcement Departmental Report. Mr. Kravitsky presented the February 2024 Report. A total of 14 permits were issued in February: 6 residential renovation permits, 2 commercial permits, 5 zoning permits, and 1 single family dwelling. A total of 7 Use & Occupancy permits were issued and 12 fire inspections were performed. One Zoning Hearing Board application was received.

Public Works Departmental Report. Mr. Winkler presented the February 2024 Report. Mr. Winkler reported the Public Works Department began the month by removing dead trees in Valley View open space and the Heimbach property. Dave's Services helped to remove large dead trees on Hillcrest, Hieter, Miller and Rosenberger Roads. Ditch cleaning was finished on Esten and Mill Pond Road. The pavilion at Fernbrook park was removed along with the small cabin on Nace road. The crew has been out patching potholes throughout the township and was out to salt two times and plow two times this month. Mr. Mininger asked if PennDOT has been out to repair potholes. Mr. Winkler replied not that he has seen.

Park Board Meeting Minutes, Healthy Kids Running Series Request. Mr. Vey reported the Healthy Kids Running Series has requested use of Molasses Creek Park for 5 consecutive Sundays in the early afternoon beginning May 5, 2024 for their running program. There are no conflicts with the use of the park. Healthy Kids used the park last year for the event and there were no issues reported. Insurance will be provided. Go Soccer Camp has requested the use of Molasses Creek Park June 17th through June 26th which may conflict with the carnival and July 15th through July 18th. MAC Sports Football Camp has requested the use of Molasses Creek Park July 8th – 12th from 9:00 a.m. to 2:00 pm. Both groups have been utilizing the park for years with no issues. Both groups will provide the township with a certificate of insurance.

Mr. Strunk made a **MOTION** to approve the requested use of Molasses Creek Park for the Healthy Kids Running Series, Go Soccer Camp, and MAC Football. The motion was seconded by Mr. Mininger and passed unanimously.

Trumbauersville Fire Company Report. Trevor Yerk presented the Trumbauersville Fire Company Report of February 2024. A total of 26 calls were received in February. Mr. Yerk stated the Fire Company has received a PEMA grant for gear and Easter Flower sales will begin in March.

Milford Fire Company Report. Mr. Vey presented the March 2024 Milford Fire Company Report. A total of 32 calls were received. The special service vehicle is almost complete, equipment is to be installed and is should be done in March and in service soon after. The Fire Company continues to experience radio reception issues in certain areas of the township with Bucks County. Mr. Vey stated he is hopeful to schedule a Zoom meeting with the Township, Trumbauersville, and the county to resolve these issues. Members are actively working on repair projects for the station. State grants are being pursued. Mr. Vey stated he has been exploring potential solar options for the garage, an emergency shelter, and water storage. During discussions, the area under the water tank was explored. We are grateful for the mutual aid support, particularly from 57. Mr. Frascella of Canary Road noted there are sufficient funds available from the Turnpike for support for gear and such and asked if funds have been requested. Mr. Mininger stated the Fire Company does receive funds for calls responded to and indicated there is no reason why a request couldn't be submitted through the commission.

Manager Report- 2024 QAPC Transportation Project Ranking Process. Mr. Vey stated project rankings are due to QAPC by March 28th and he will be sitting down with Adam Klein focusing on the capital end of the projects. There are aspects of 663 that don't make sense over time. Additionally, he will be meeting with Mr. Winkler go over the maintenance end. There are issues

concerning Bauman Road and Allentown Road that have been identified. Mr. Mininger asked if those were draining concerns to which Mr. Vey confirmed that with any rain, the whole field gets filled with water, causing routine issues in that corner. Different detours for Allentown and 663 have been proposed, including Weiss to Bauman to Allentown Road.

Millstone at Parkside. Mr. Vey reported Millstone at Parkside has a road as of yesterday, which is closed except for local traffic. There is a concern regarding signage with cones along the edges, as it presents a liability concern, but the road is passable. We are closer to resolving the specifications of damages that were done, aiming for a complete overlay. A discussion was had on the scratch coat for the crown on the road. The Storash agreement has been signed and received. Mrs. Harper stated it will be recorded once executed.

Mr. Mininger made a **MOTION** to accept the Declaration of Agreement between Milford Township and Valerie Storash for a portion of the property on Foulkes Mill Road. Mr. Haberle seconded the motion. The motion passed unanimously.

C2P2. Community Conservation Partnership Program Grant. Mr. Vey stated he is currently looking at a couple of things: the Licking Creek watershed flooding and the Gehman property. What he intends is to present a watershed plan involving properties to conduct preliminary flood control, as well as develop a park plan and tree plantings. Mr. Vey noted Mr. Emerson is on board and Archewild was out for stream bank restoration. Mr. Vey asked if it was okay to proceed with the grant submission? Mr. Haberle asked if flood control for the Weiss Road Bridge could be pursued. Mr. Vey said it could but not with this grant submission. The focus should be on stream bank stabilization. On Unami south of 663, we can see where the stream was (on GIS), and we want to treat this as a separate project with high priority. Mr. Haberle stated it is okay to proceed.

Allentown Road/663 Detour. Mr. Vey said Portzer and Old Bethlehem Road is being looked at for the detour. These are local roads with Milford Township having 400 feet north of 663, with the remainder falling under Richland Township. A meeting was had and Jim Benner, Richland Township Director of Public Works was contacted. It appears that this is the course of action that will be taken.

4-way stop Old Bethlehem Pike/Brick Tavern Road. Mr. Vey stated confirmation was received today from PennDOT that stop signs will be installed. The State Police will be asked to have a presence, and the flashing lights will be operational for a month before being removed. For permanent flashing lights, we will need to obtain permits. Mr. Vey mentioned an accident at the intersection a week ago that involved extraction.

Mr. Strunk asked if there were any comments from the public. Mr. Bob Smith of Hill Crest Road asked for clarification on Foulkes Mill Road being open for local traffic, and asked what is the meaning of "open for local." Mr. Vey said the proposal is to have signs indicating the road is closed except for local traffic and to install cones, ensuring it does not impede anyone passing through. Yesterday, signs were placed, and roadside touch-up work was conducted on the sledding hill. Attention was diverted internally to address road issues, which were impaired by ongoing litigation. Misinformation was presented, and there were legitimate concerns about underground utilities and orientation. Contractors are now operating in good faith. Mr. Smith stated that it might be too late for a four-way stop sign, and it may be considered overkill. Alternatives such as higher cross traffic signs were suggested, look-left, look right. Mr. Vey stated he does not like stopping through traffic but acknowledged the need for action following accidents. Mr. Vey said the sight distance to the left is not great and the Township has acquired property at the intersection to help with sight. Mr. Smith stated there are other measures, such as LED signs advertising corners before reaching intersections. Mr. Smith said more signs have been placed on Rickert Road advertising the corner before you get there. Mr. Smith said maybe it is a 2-step process and all 4-ways could have led lights advertising the stop and look left, look right signs would help people be more aware. Mr. Mininger said he doesn't

like cross stops either and he feels it is more of a sight issue along with speed. Mr. Frascella suggested flashing red lights on both sides of the intersection above the roadway. Mr. Haberle noted that the process for addressing issues at Brick Tavern specifically has been a multi-step process without much success and he is not a fan of cross stops but thinks it is what is required to which Mr. Mininger agreed.

Adjournment: With there being no further business Mr. Haberle made a **MOTION** to adjourn the meeting of March 5, 2024 at 8:21 p.m. The motion was seconded by Mr. Strunk and passed unanimously.