

Milford Township Board of Supervisors' Special Meeting Minutes
March 16, 2026 - 6:00 pm

Attendance: Supervisors present: Christian Haberle, Chair; John Mininger, Vice Chair; and Timothy Johnson, Member. Staff present: Jeff Vey, Township Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; Todd Baldwin, Pennoni, and Kate Harper, Timoney Knox.

Call to Order: Mr. Haberle called the meeting to order at 6:00 pm.

Adoption of the 2026 Act 537 Sewage Facilities Plan: Mr. Haberle requested comments; none were received from the Board. Ms. Hannah Soisson of Fox Rothchild, representing SKAOS, stated that she reviewed the additional comments, which reflect earlier feedback. Her client has requested 124 EDUs, of which 70 have been allocated. She acknowledged that this is a planning document and expressed willingness to work with the Milford Trumbauersville Area Sewer Authority. Mr. Harry Koenig cautioned that adding additional EDUs beyond the 950 capacity would likely result in DEP rejecting the Act 537 Plan. He noted that with the existing 29 EDUs plus 70 additional, the total is already 99. Any further increases would need to be addressed. Mr. Vey questioned how EDUs are assigned for planning purposes, asking how projects qualify as “future development” and citing Brookfield 2 as an example. He expressed concern that including projects without clear criteria could exceed capacity and create uncertainty about who would ultimately receive available EDUs. He also emphasized that no EDUs are guaranteed until DEP approval is granted. Ms. Soisson noted that her client has maintained both a sketch plan and development plan for over a decade. Mr. Vey responded that this issue is addressed in the EDU Policy and involves coordination between Act 247, Act 537, and Chapter 94, particularly regarding allocation of capacity without guarantees. Mr. Koenig said that exceeding capacity in the plan would result in DEP identifying deficiencies and rejecting the submission. Mr. Haberle agreed, stating that the additional EDUs for SKAOS would not be included, as doing so would jeopardize approval. Mrs. Harper added that the plan could be revised later if approval is obtained. Mr. Koenig explained that developers would submit a Planning Module, and if capacity is available, a will-serve letter may be issued. Mr. Haberle noted the timeline: approximately six months for the current review and up to 18 months for capacity allocation, with a rerate potentially two years away. Mr. Koenig added that phasing development, starting with the residential construction and building the wellness center at a later date, would help manage capacity. Mr. Vey noted the EDU Policy is operational not a planning policy. Presuming we get approval from DEP, we are over capacity with planning. That was the whole idea of bouncing back and forth an EDU Policy. When capacity is committed, the developer pony’s up. Mr. Vey stated the policy should be addressed and asked what is wrong with the intergovernmental policy. The operating policy has to do with ownership of an EDU, that is not planning. It closes the loop with Chapter 94 flows. If a rerate is the way to go, he doesn’t know how to make EDUs appear for planning purposes and added he would like to have a response to the first daft policy. Ms. Diana Silva of Manko, Gold, Katcher, Fox representing LifeQuest and MVP 663 I, stated the daft policy was distributed and two days later it was adopted by the Sewer Authority and the township has the requirement to plan for future development. There has to be a plan on how to add capacity and noted what is being done is a revised Act 537 Plan what has to be added is future development. Mr. Vey said we won’t deal with specifics right now and asked how you plan for over capacity. Ms. Silva stated the sewer plant needs to figure it out and has to have a reasonable plan. There is a lot of meandering on what is happening. Ms. Silva stated before the Board tonight is a revised plan and how to deal with a sewer plant rerate and fees. That is to be dealt with another day. Mr. Vey asked how something gets on the list for EDUs. Ms. Silva said they need to come to you, to the township, when presenting under SALDO. Ms. Silva stated before she was a lawyer she was a city planner. When coming in for initial meeting with a sketch plan the requirements are discussed, needs for sewage, water, it is all laid out. That is the developer’s obligation. Then it is commented on and a response given. The developer goes through final approval and a separate process for EDUs. Mr. Vey stated it hasn’t been done. Ms. Silva noted this is how developers work around the Commonwealth. A component of SALDO is sewage and how many EDUs are needed. A discussion is had with the Sewer Authority, the Plan routinely get amended. Mr. Vey said we have had it where developers go to the operating entity and the township finds out after the fact such as Brookfield 2 a subdivision that came to the township with allocated EDUs. Ms. Silva said the entities should talk to each other. Mr. Vey asked what the threshold is, what is the criteria to be considered for capacity. Mr. Vey asked if the intergovernmental agreement was looked at. Ms. Silva stated it was then she received an email advising it was adopted. Mr. Vey asked what comments and impressions Ms. Silva had. Ms. Silva said a reservation of capacity with a payment, if construction isn’t started within 6 months the developer loses their rights. Mr. Haberle said we are going to take this back to the plan that is before us. The Board must decide whether to approve the amended resolution as presented or reject it and develop a new plan. He reiterated that SKAOS EDUs would not be added to avoid DEP rejection. Mr. Vey recommended adopting the plan, pursuing a plant rerate, and revisiting the EDU Policy to better integrate planning and operational

frameworks across Act 247, Act 537, and Chapter 94. Mr. Koenig concluded by noting that no fees are charged until DEP approval is received. There were no further comments.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2026-07**, Approving Milford Township's Act 537 Sewage Facilities Plan Revision. The motion was seconded by Mr. Haberle and passed unanimously.

Adjournment: With there being no further business Mr. Haberle made a **MOTION** to adjourn the March 16, 2026 Milford Township Board of Supervisors meeting at 6:23 p.m. The motion was passed by Mr. Johnson and passed unanimously.