

MINUTES- MILFORD BOROUGH COUNCIL MEETING

ON TUESDAY, SEPTEMBER 15, 2020 THE MILFORD BOROUGH COUNCIL HELD THEIR REGULAR MONTHLY BOROUGH COUNCIL MEETING VIA “ZOOM”.

PRESENT ON THE CALL: PRESIDENT FRANK TARQUINIO, VICE PRESIDENT ADRIANNE WENDELL, COUNCIL MEMBERS PETER COONEY, JOE DOOLEY, SUSAN LYDDON, LUKE TURANO, SOLICITOR ANTHONY MAGNOTTA, BOROUGH SECRETARY PAMELA AHLSTRAND, ASSISTANT BOROUGH SECRETARY LAURIE DIGESO, TREASURER GREG MYER, MAYOR SEAN STRUB. COUNCIL MEMBER ROB CIERVO WAS NOT PRESENT.

This meeting was advertised and open to the public. Attendance by press and public was accomplished by call in or log in, and there were members of the public present in this manner.

Meeting was called to order at 6:00 PM by President Frank Tarquinio. Roll call and Pledge of allegiance.

- Agenda ADOPTED BY MOTION OF DOOLEY/WENDELL
- **ADOPTION OF MINUTES** – 8/18/2020 – ADOPTED BY MOTION OF TURANO/WENDELL, WITH THE CHANGE TO REFLECT THAT TURANO WAS PRESENT.
- **PUBLIC HEARING** – ORDINANCE ADOPTION/CHANGES
 - **Ordinance 467** – Amending definitions in §312 of Zoning Ordinance to add “short term rentals”, and add language to “family”; Solicitor read proposed definitions; said this incorporates language from the State Supreme Court “Slice of Life” decision prohibiting short term rentals in the Residential Zone.
 - Ordinance 468** – Changing “Drive In Uses” or Drive thru from Class I Conditional Use to Class III Conditional Use (requiring 5 acres) in §312 of the Zoning Ordinance, Schedule of Uses in a Commercial Zone. Comment from County Planning – Could be considered “exclusionary zoning”; Zoning Officer Bolles noted that you are providing a use, not excluding. Question from Turano – If, hypothetically, there is a pending application, would this affect it? Solicitor/Zoning Officer said no, not retroactive.
 - **Ordinance 469** – Rental Registration – Wendell explained purpose/scope of the Ordinance (Borough Code, not Zoning); took from Hawley Borough and Honesdale Borough Ordinances; requires yearly registration of property, with a fee to be set; allows for inspections; both landlord and tenant have responsibility to follow Borough Ordinances; applies to ALL rental units (single family as well as multi-family). Comments from Mayor Strub- Definition of a “dwelling unit” – Bolles suggested addition of a provision of

living, sleeping, cooking, bathing to be considered a dwelling unit. Mayor Strub questioned why a yearly registration; suggested use of gender-neutral language; felt that providing names of tenants was a privacy issue.

Discussion about definition of a “tenant”.

NO PUBLIC COMMENT/QUESTIONS. BY MOTION OF WENDELL/TURANO, PUBLIC HEARING WAS CLOSED.

- **BY MOTION OF WENDELL/DOOLEY, ORDINANCE 467 APPROVED BY COUNCIL.**
 - **BY MOTION OF WENDELL/COONEY, ORDINANCE 468 APPROVED BY COUNCIL.** (Question from Dooley about County Planning comment- Wendell said this change is “managing”, not “prohibiting”)
 - **BY MOTION OF WENDELL/DOOLEY, ORDINANCE 469 APPROVED BY COUNCIL**
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- PUBLIC COMMENT ON AGENDA ITEMS:
 - Beth Kelley – Former ARB Chairperson, applicant with an item on the agenda for approval (Milford Theater); commented that the ARB Ordinance is outdated; urges Council to address this issue.

 - Treasurer’s Report- Greg Myer- **REPORT ACCEPTED BY MOTION OF DOOLEY/TURANO.**
 - \$46,114 collected in Real Estate taxes, 35,010.75 will go to general fund. Borough needs to collect around \$15,000 to meet the budget for the year, -\$23,835 needs to be put in the pension plan for Police and \$17,801 for non-uniformed. Last year we received in reimbursement \$30,722 but minimum obligation was \$38, 814.00 so we had to contribute a little over \$8,000 from the general fund. We may have a similar shortfall this year. - **REPORT ACCEPTED BY MOTION OF DOOLEY/TURANO.**

 - - Luke Turano needed to leave meeting and had a question regarding Elderberry being milled or paved. Is UGI coming through to do this? Can we look into this? Who is contracted to do this? This alley was on the list to be paved using liquid fuels but it could not be done due to UGI completing work at the time.

 - Arbor Day Proclamation read by Pam Ahlstrand and declared by Frank Tarquinio. **Motion by LT/AW to accept proclamation.** Shade Tree Commission to donate 12 trees to the Borough in honor of Arbor Day.

- **SPECIAL EVENT APPLICATIONS:**
 - DAR Flea market/yard sale at the Columns – to raise funds for nonprofit. FT asked about Covid -19 safety measures . They have set up safety measures already. **Approved by motion of Joe Dooley/Adriane Wendell**
 - Purple Ribbons- Domestic Violence awareness month.
Approved by motion of JD/LT
- **ARB Certificates of Appropriateness- 8/24/20 and 9/9/20 meetings (reports provided to Council):**
 - a. Milford Theater – 114 E Catharine St – Door- Denied by ARB-Overridden
 - b. 107 E Harford St- Security Cameras- Denial from ARB due to location of cameras in the blue stone. Recommend replacing damaged blue stone because it was drilled into the lintels.
 - c. Tom Quick – 411 Broad St. – Roof, Paint, Porch repair- Recommended by ARB for approval.

BY MOTION OF DOOLEY/COONEY RECOMMENDATION BY ARB FOR 114 E. CATHARINE STREET WAS OVERRIDDEN BY COUNCIL. BY MOTION OF JD/PC

BY MOTION OF WENDELL/DOOLEY RECOMMENDATION BY ARB FOR 107 EAST HARFORD STREET FOR DENIAL WAS ACCEPTED. APPLICANT CAN KEEP CAMERAS IN PLACE UNTIL A REASONABLE SOLUTION IS MADE.

BY MOTION OF DOOLEY/COONEY ARB RECOMMENDATION TO APPROVE THE APPLICATION FOR 411 BROAD WAS ACCEPTED.

- **New Business:**
 - a. Need for election workers- Need three poll workers for election. County pays \$175 for the day. Can call the Borough Secretary if you would like to volunteer.
 - b. EMS tax increase for 2021 budget- Referendum will be on this election ballot. We can now collect a ½ mil basic EMS tax. Half of the tax can go to salaries and the other half can go to actual ambulance cost. Magnotta said the

council has the authority to impose a ½ mil tax which they have not done in the past, up to a total 2 mils total.

- c. Possible Joint Grant application with Lehman Twp. for wayfarer signs, bike trails, sidewalks-Lehman Township is looking for us to join them in a joint grant application of \$150,00 in which \$75,000 would go to the Borough. Would require the Borough to pay a \$2,000 share of the application. **Motion to go ahead with the application by Lyddon/Dooley**

 - d. Halloween –Unless the State restricts Halloween, we should go ahead with allowing Trick or Treating in the Borough. Personal decision of the parents/homeowners to participate. We will keep the same hours of 3-8pm and request an extra officer on duty. Events on private property outdoors on Halloween must abide by CDC rules and comply with the Borough noise ordinance. Mayor Strub mentioned we should discourage it but not prohibit it. All agreed the message should be that we are allowing it but SS suggested coming up with a statement to outline what the suggested guidelines should be.
- Old Business:
 - a. Alley trimming- Letters went out to homeowners from a list given to the office by Paul Curran of the Street Department. Some of those letters came back stating there were no shrubs or trees on that alley so we may need to take a closer look at the alleys.
 - b. Old Borough office-FT said we should make the old office building a single family residence, brought completely up to codes, correct all items observed by building inspection, no sublease, 10 year term, must carry liability insurance co-naming the Borough and that terminating the lease does not oblige the Borough to reimburse for any improvements made during the lease and any illegal activities occurring on the premises allows the Borough to terminate the lease. Cooney said there are at least two people interested once they learn the terms. Strub mentioned we should consider having the right to approve the tenant if someone wishes to sublet rather than not allowing a sub-lease. AW JD have no objection to sublease. FT asked if council wanted to Magnotta to draw up a document with the terms and that we should advertise the property again. Cooney agreed to continue to show the property. All agreed to the document.
 - c. Long-term Ambulance issues-Meeting with other municipalities to discuss the logistics and how it all will be handled.

- d. Cupola project –Asked engineers to come and start a plan to repair it.
 - e. Comprehensive Plan update/meeting- Next public meeting on 10/21.
 - f. Cherry Alley paving issues-Waiting on paver to remove lip on one side of the alley to see if that helps with the drainage issues. Resident John Souza asked why this has not moved along yet? Why are they looking to remove a birm/lip that has been there since he moved into the house? Feels that is not really the issue. After a long discussion, council decided to address this issue asap and to move along using Street funds. **By motion of Cooney/Wendell council moved to do whatever necessary to fix the problem.**
 - g. MEC West Harford project – Penn dot still wants us to give up 11 parking spaces for lines of sight. Senator Baker agreed to help the Borough with this. Wendell said we should also address issues we are having with Penn dot to Senator Baker also.
- Mayor’s Report – Mileage up a bit since last year. 3292 patrol miles- 2019- 3044 miles- 2018- 2167 miles.All else going well with the PD.
 - Zoning Report – No report
 - Committee reports-
 - :Law & Zoning- Wendell –No additional report
 - :Insurance/Finance – Dooley –Getting ready for Budget workshop. Finance Committee met and working on discussion of LST
 - :Parks – Turano –Shade Tree and Parks and Rec committees to collectively start meeting once a month. Clean up done at Biddis park.
 - :Property – Cooney
 - :Streets & Lights – Approve invoice for street signs – DONE BY MOTION OF WENDELL/DOOLEY
 - :Tech- Susan Lyddon
 - :HR – No report
 - :Shade Tree Commission – Letter of Interest from Mary Ciccolella - APPOINTED BY MOTION OF DOOLEY/WENDELL
- Dale Thatcher reported that ribbons were placed on trees that need trimming and replacement. Yellow ribbons priority. Blue second. Yellow by 1/31 and blue in Spring. How does council want to go about the hiring of a vendor? Commission should get bids and recommend to council who they would like to use. Need volunteers to plant trees for Arbor Day. Two options to remove stumps. Will compare numbers on whether to rent high end stump grinder or purchase a lower end grinder. Will come back to council when they have decided. Working on a brochure to make available to property owners.

:Appointments –none

- CORRESPONDENCE – FT announced the resignation of Pam Ahlstrand due to the fact that her family will be relocating and thanked her for her years of at the Borough.
- PCDC letter asking for financial support. Atty. Magnotta noted that as a municipality we cannot contribute but not due to a lack of support.
- Letter of appeal from Sparkomatic that was not filed in the proper format. Magnotta sent a letter responding to this.
- A discrimination letter went out to the Attorney General’s office regarding signs placed on Mott Street. Mayor Strub responded to that letter.

- PUBLIC COMMENT – None

BY MOTION OF DOOLEY/COONEY, MEETING WAS ADJOURNED AT 8:57 PM