

**Regular Borough Council Meeting
November 17, 2020 Minutes**

Roll Call / Pledge of Allegiance- President Frank Tarquinio called the meeting to order at 5:45 pm.

Present: President Frank Tarquinio, Vice President Adriane Wendell, Councilmembers Rob Ciervo, Luke Turano, Joseph Dooley, Peter Cooney, Susan Lyddon, Solicitor Anthony Magnotta, Treasurer Greg Meyer, and Borough Secretary Laurie DiGesio. Mayor Sean Strub was not present.

The meeting was advertised and open to the public. The meeting was held via zoom.

Adopt Agenda

- **Motion to adopt agenda by Dooley/Wendell- All in favor.**
- **to adopt minutes with Motions changes by Dooley/Turano. All in favor.**

Public Hearing:

1. Conditional Use Hearing- Guy Corter-507 Broad Street
2. Ordinance 470 Amending Local Services Tax
3. Ordinance 471 Amending Prohibited Parking Code

Tara Wilson- court reporter -present to record minutes of the hearing and swear in Guy Corter for a public hearing.

1. Anthony Magnotta opened the hearing. Mr.Corter explained the intention to use the building as a multi-use for a residence and office space. The current use is all commercial. No questions from the councilmembers. Shawn Bolles was sworn in and stated that the conditions of the application were satisfactory. No public comments regarding the application. **Motion to close hearing #1 by Dooley/Wendell.**
2. Anthony Magnotta explained that the amended LST tax would be a fee of \$52 a year for residents and non-residents who work in Milford Borough. Berkheimer Associates would be the collector responsible for the tax. No public comment. **Motion to close hearing #2 by Wendell/Dooley All in Favor.**
3. Amendment to the Borough Code 290-22 to comply with PennDot requires there to be sight distances to be maintained on West Harford Street. In turn, this would require additional parking areas to be prohibited to maintain those sight lines. AW- how many spots would be losing? Magnotta-11 or 12. Bill Kiger commented that the loss of spaces on W. Harford should be opposed. A while back PennDot agreed that the Borough could keep the parking spots by making the alleys one way in. They should be pressured to live up to that. FT- we have, this is the

compromise. We have gone down from 32 spaces to 11. **Motion to close public hearing by Wendell/Ciervo. All in favor.**

Frank Tarquinio opened the regular meeting back up. Motion to adopt minutes from 9/15/20, 10/27/20, and 9/30/20 with changes by Dooley/Turano. All in favor.

Public Comment on Agenda items:

Erica Burnett- 377 Foster Hill Road- Heard that the public comment meeting for Act 537 plan was canceled for the in-person meeting. Feels it is not fair to the public.

Public Hearing motions:

1. **Motion to accept conditional use application for Guy Corter by**
2. **Wendell / Dooley All in favor.**
3. **Motion to amend ordinance for LST by Dooley / Turano. All in favor.**
4. **Motion to approve the ordinance for prohibited parking along W. Harford St. by Wendell / Ciervo, Peter Cooney opposed.**

Motion to appoint Berkheimer for LST tax by Dooley / Wendell. All in favor.

Treasurer's Report:

Real Estate Tax collected this year so far- \$663,523. The budget is for \$668,00. Should be able to collect that by the new year. Transfer tax collected over the budget already.

Motion to accept Treasurer's report by Dooley/ Wendell.

Special Events: Frisky Goat resolution run. AW explained the event and that this is an annual event for the past 3 or 4 years. Not using Borough property. **Motion to approve by Wendell / Lyddon.**

Certificates of Appropriateness/Denial

1. 301-303 W. Harford St.. Dr. Richard Buckley represented by John Stieh. ARB recommended denial of fascia and approval of gutters and downspouts. After discussion with Council, Dr. Buckley and Attorney Stieh Council agreed that work should have been presented to ARB before it was done and that the material was not material that would be acceptable by ARB. **Motion to approve the gutters and downspouts as presented and to accept what is currently done of the fascia with the exception that they finish the remaining fascia with the proper material by Turano / Ciervo. All in favor.**

2. 401 Second Street- Recommendation by ARB to approve wooden fence as submitted.

Motion to approve fence at 401 Second Street by Dooley / Turano. All in favor.

Letter to Public Utility Company:

FT- Would like to send a letter to PUC expressing our disapproval regarding the rate hike. Magnotta suggested also writing a letter to the office of the consumer advocate which is also affiliated with the PUC. They have filed a complaint to cease the rate hike for a period of six months. **Motion to approve sending a letter to PUC, the office of the consumer advocate, and PCLP by Turano/ Cooney.**

Update on Covid-19: Magnotta- Secretary of Public Health Rachel Levine issued an order requiring certain travelers to be tested at least 72 hours before entering the Commonwealth and that they quarantine for 14 days. Masks are mandatory indoors and outdoors at all public places. The emergency declaration has not been moved forward yet but the current does not expire until November 30. LT- Milford Covid relief fund had another successful distribution of supplies.

Old Business: FT-Kiley and Associates proposal similar to those of the two contractors we had do an estimate on Cherry Alley. Pete Cooney and I both went out to the site to meet with Joe Hudak. The engineer is asking for \$1000.00 to do an infiltration test at the site. Do we want to proceed with that? **By motion of Ciervo/Cooney the Borough will proceed with infiltration testing at a cost of \$1000.00. All in favor.**

Budget Review: FT- need to advertise the proposed budget for the next two weeks- 11/20-11/30. **Motion to approve advertising the budget by Dooley / Wendell.**

FT- Can we pass a resolution to add the additional 5 mils? Magnotta- there is an advertising requirement for this. **Motion to advertise for applying to the court for the 5 mils by Dooley / Wendell. All in favor.** JD- Mil rate stays the same except for the 2 mils increase voted for on November 3rd.

Lease Agreement: Scott Wilson on the call. FT- made the changes you requested on the lease agreement. SW- I didn't see the change to have a deferred payment until work is done. FT- How long do you need? SW- 90 days. PC- let us do 120 days. LT- insurance language needs to be changed slightly. **Motion to approve the lease agreement with deferral of lease payments for a period of up to 120 days or when Mr. Wilson receives CO, whichever comes first by Ciervo / Cooney.**

537 Plan Public Comment Meeting: Since Covid 19 has gotten worse since last decided to have an in-person meeting, do we still want to meet in person? **AM-** we received a letter today from Marshall Anders Esq. on behalf of Pike Citizens for Responsible Growth. They state that they are in favor of an in-person meeting. **AW-** while I agree that we definitely need to have a further discussion, this is just a public comment meeting. Once the study is approved it still needs to go through many other channels. We will extend the public comment period through to December 31st. Council agreed to have the comment period through to December 31st. **Public Meeting to be**

held by zoom only on 12/3 and Solicitor Magnotta to notify attorney Anders of meeting change and comments to engineers must be submitted in writing to the Solicitor Magnotta's office with Borough residents given priority. By motion of Turano/Lyddon. All in favor.

FT- need to update the zoom license to accommodate more people. Motion to update by Turano / Ciervo. All in favor

FT- Thank you to Milford Presents, Adriane, Luke, and Susan Lyddon for a great first Trunk or Treat. It was a success. Also want to thank the County workers and Paul Curran for the successful election day. **LT** wanted to recognize Paul for late in the evening, cleaning out the drains during a storm so the streets would drain. Doing a great job.

Mayor's report: Mayor Strub was not present. Chief McCormack presented the Police reports as reported. **FT-** thank you on behalf of the Borough for keeping everything quiet and safe especially during Covid-19 pandemic. **JD-** take notice to the more detailed report and also to note that the PD is working on a better complaint form that will be available to download on the Borough website. Overnight parking is now being enforced.

Zoning Report: Shawn Bolles unavailable. Report given by Adriane Wendell. 6 zoning permits in October. Shawn is heavily participating in planning meetings and doing good work. BIU is handling some building permits but we need to discuss new inspectors as we currently do not have anyone to do commercial inspections.

Discussed licensing and permitting fees to contractors. Mostly if the laws are violated. **LT-** can we have a bond be posted? **AM-** we do not require bonding. **RC-** some communities have specific requirements to work in the Borough. Not sure if we can do that. **AM-** we do not have that in place right now. We should first educate the contractors and homeowners about what is required so that they know ahead of time. **AW-** Just a note, that we have also submitted an application to the state to become a certified historic community and submitted for a grant to update the design guide.

Finance/Insurance: **JD-** Luke would like to note that he is working on changing insurance dates to a January start date. Makes more sense from a financial standpoint.

Parks/Trees/Recreation: **LT-** little League has now ended their season. There were a few of the same complaints pertaining to parking and garbage and also Covid-19 with respect to social distancing. Met with the little league board of directors on site and they are going to work on getting debris by shed all cleaned up and discussed parking and

possible solutions to the issues for residents living adjacent to the park. Constant littering and cigarette butts. RC- these problems have always been there. Very hard to change people's behavior. LT- League board willing to meet with Council in the Spring to address these issues before the season starts.

LT- Mike Zimmerman is on the call to discuss the possibility of a permanent structure bandshell in Ann street park for future concerts/events. JD- would like to hear the resident's thoughts about this. Mike Zimmerman mentioned the placement would actually decrease the amount of sound coming out of the park towards the residents. Also wanted to mention the passing of Walt Edwards and wants to create a grant in his memory to fund a cultural event in Milford Borough and Pike County.

Borough Property: PC- Lease agreement underway. JD and I are talking about depreciation of equipment. Looking into that financially. Very happy about the lease.

Streets and Lights: Leaves will continue to be picked up until Dec. 15. FT- is there some way we can close off Harford and Broad Street to pick up leaves? RC- we are not allowed because those are PennDot streets. Leaves must not be in the streets. Up to the edge of the property only. Also, UGI continues to be a problem. We need to start sending letters complaining directly to UGI.

HR: Susan Lyddon left the meeting due to a work emergency at 7:31 pm.

AW- we have been investigating a cloud-based server for the Borough office and also a laptop for Laurie. Will be doing some more research on that.

Shade Tree: Dale Thatcher- 34 stumps have been ground down. Trees will probably start coming down by January 31 for yellow ribbons and April for blue. Planted 14 trees for Arbor Day.

Appointments: Dale would like to appoint Shawn Hilvers to the last available seat on the Shade Tree Commission. **Motion to appoint Shawn Hilvers by Dooley/ Ciervo.**

All in favor. FT- Dale, can you look into whether or not we can make cost share of trees mandatory? DT- will probably need to have a discussion with JD about the budget.

Correspondence : Mr. Ricciardi- letter about litter at the ball field. Addressed during parks and recreation.

Kurt Fohl- letter about condition of roads on Plum Alley behind his home. UGI dug up the street and has never properly repaired it. A large hole left behind. Borough Street Department added some gravel but the rain washed it away. Requested modified gravel be dumped on Plum Alley to fill it. RC- modified is not the issue, unfortunately. Laurie and I have both called along with the resident to no avail. AM- we need to notify UGI of issues and ask for a timetable for paving. Deny future permits if they do not comply. Let's put together an email of the worst of the worst of the streets.

AW- Tree lighting- Milford Presents trying to connect with the Chamber of Commerce to plan a virtual tree lighting on December 5.

LT- Liz Steen mentioned having holiday/winter backdrops around town for photo opportunities throughout the Borough.

Public Comment: Fred Weber- Could we review the ARB regulations? AW- we are doing this. The grant we discussed earlier is for this purpose.

FW- Utility company attempting to raise rates are a ploy to come in high and negotiate new rates.

Someone needs to explain mil rates.

Act 537 plan- keep hearing this is a study. Why are we rushing this meeting along?

FT- Fred you are over the 5 minutes allotted for public comment.

Motion to adjourn Turano/Ciervo.

Adjourn 8:30pm