

MILTON BOROUGH COUNCIL
(Hybrid Meeting)

May 22, 2024
7:00 p.m.

The meeting was called to order by President Jamie Walker. The following Councilpersons were in attendance: Mrs. Meckley, Ms. Fawess, Mrs. Mabus, Mr. Derr, Mr. Scheimreif, Mr. Swartz, and Mr. Robol. Also, in attendance were Jessie Novinger, Amy Day, Chief Zettlemyer, Sam Shaffer, Doug Diehl, Atty Wiley, and Mayor Aber. Absent from the meeting were: Mr. Moralez, Mr. Pfeil, and Jennifer Lamoreaux.

Minutes: On motion from Mr. Derr and seconded by Ms. Fawess, and carried, Council approved the minutes from the May 8, 2024, Council meeting. President Walker abstained.

Report of the Borough Manager: Mrs. Novinger advised Council that we will be working with the Northumberland County Housing Authority to replace a stormwater pipe and two inlets within the entrance to the Hepburn Acres complex. The Housing Authority will be paying the Borough time and materials to complete the project (this stormwater flows into Brown Ave Park between the baseball field and the MPC field).

Mrs. Novinger then informed Council that a walkthrough of the curb cut project on South Turbot Avenue will be taking place tomorrow.

Mrs. Novinger attended the KMIT (workers compensation) annual board meeting and Trustees meeting May 19-20th in Bethlehem. She was elected as the Vice President of the Trust.

Mrs. Novinger then stated that the Milton American Legion has requested permission to perform a formal disposal of damaged American Flags in the Milton Cemetery, the exact date is still TBD-verbally it was discussed to be June 15, 2024 (the day after Flag Day).

Mrs. Novinger met with WNEP to discuss having Milton be a stop for the annual "Go Joe" event where Joe Snedeker bikes through our region raising money for St. Joseph's Center (tentatively set for July 22, 2024).

Mrs. Novinger then reminded Council that she and Jenn will be out of the office June 2-5th at the PSAB Conference in Hershey.

Report of the Mayor: Mayor Aber informed Council that this past Monday he attended the ribbon cutting ceremony of the new Susquehanna Valley Visitors Bureau, located in part of the old Montandon Elementary School. At the conclusion, he was given the invitation by Todd Ross to tour the whole facility and see all the changes made.

Mayor Aber then stated that he performed his 8th Wedding Ceremony this past Saturday.

Lastly, Mayor Aber had President Walker read a Proclamation declaring the first Friday in June (June 7, 2024) to be National Gun Violence Awareness Day.

Report of the President of Council: President Walker had no report.

Report of Chief of Police: Chief Zettlemyer informed Council that they are continuing with their annual updates, legal updates, things like that for our Officers. Next week they will be at USP Lewisburg for range qualification and training.

Chief Zettlemyer informed Council that our car which should have been here last week, should be here by the end of the week, but there were some minor issues with the lettering, the tanning of the lettering, it is little bit different, and we want it to match our current graphics.

As far as business and arrests, Chief Zettlemoyer stated that arrests are still up, a lot of transports to Northumberland County Prison. We currently have a lady lodged there now for assault on a minor child earlier this evening. If anyone saw Watsonstown coming down, they were there to back us up with the incident today.

Chief Zettlemoyer then informed Council that we see our typical increase in crime when it's warmer out, so if you see something, please report it to the Police.

Report of Public Works Director: Sam Shaffer reported that crews did make it through the entire town with street sweeping and will continue that as time permits during the summer. There are also crews working on cleaning the tennis courts. They've been pressure washing and cleaning the surface out there. It's the first in a long time that it's been done in awhile and it's making a pretty dramatic difference. They should be finished with that tomorrow.

Mr. Shaffer then informed Council that mowing is continuing through the cemeteries and all the Borough owned properties. The parking lot across the street has been finished to this point. They are going to let that settle as there are a few soft spots, they will add more millings to that. The only cobblestone that was out there has been listed on Municibid for sale.

Report of the Fire Chief: Chief Heddings read the Fire Department report as: So far this month, the Fire Department has responded to 19 calls, including 2 fires in the last several days, the volunteer QRS has responded to 6 calls for service. MICU 15 has responded to 141 calls so far. They also had 3 members finish their EMR class (Emergency Medical Responder) and are now preparing to take their National Registry.

Public Comments: No Comments

CDBG Project Selection Hearing: At this time, Tonia, from SEDA-COG spoke regarding the 2024 Application for CDBG Project Selection. She informed the Council that last month they ran through quite a few different projects that the Borough would like to take care of. We did, however, decide to do the Brown Ave Park improvements. We are going to step back and try to do something different this year. We are going to do a survey, Borough-wide, and try to achieve a LMI of 51%, so that we can make the improvements to the park as needed. Those park improvements have not been specified yet but will be specified at a later date, if we do achieve 51% or more. If we do not achieve 51% and park improvements do not take place, we will go to an alternative of "Removal of Architectural Barriers, Phase 3". At this time, the 2024 allocations have not been released, but she is advising to approve contingent upon the release of funds, at 100% finance administration costs which is normally about 16%. (Mr. Robol asked for clarification of the percentage of cost, and Tonya clarified that it is usually between 16-18%, but they stay on the lower side of 16%, roughly around \$20,000. It was then clarified what the Borough received last year.)

- On motion from Ms. Fawess, seconded by Mr. Swartz, and carried, Council approved the CDBG Project Selection Hearing request.

Public Works and Cemeteries: No Comments

Public Safety:

- Consideration to approve the Recreational Usage Agreement between Milton Borough and North Branch Baseball for use of Brown Ave Park Veterans Memorial Field beginning May 21, 2024 - August 15, 2024.
 - On motion from Mr. Derr, seconded by Mrs. Mabus, and carried, Council approved this request.
- Consideration to approve a request from Hardline Volleyball to use the open field space of Brown Ave Park for a Volleyball league Wednesdays from 6-9pm beginning May 29, 2024 – July 24, 2024.

- On motion from Mrs. Meckley, seconded by Mr. Robol, and carried, Council tabled this request for more information. (Rehabilitation of Grass Provision)

General Government and Finance:

At 7:18 pm, Attorney Wiley opened a Public Hearing for Proposed Zoning Ordinance No. 1254 – amending the follow sections of Ordinance No. 1165: Table of contents, Appendix A, definitions, regulations, and specific uses of facilities.

This was sent to the Milton Planning Commission, reviewed at their March 12, 2024 meeting, and recommended for approval. It was also sent to Northumberland County Planning Commission for review with no comments. Notifications were placed in the newspaper and the notices ran on April 16, May 4, and May 11, 2024. The purpose of this public hearing is to take any comments that the public may have on this Ordinance. Mr. Diehl added that we had no place for rehabilitation facility, emergency shelter, or homeless shelter within our ordinance. We added that and the appropriate areas which they can be used and the qualifications. Attorney Wiley asked for any public comments for this ordinance and no comments were made. Attorney Wiley advised that the Borough of Milton has made this ordinance available at the Borough for inspection and has taken all the required steps under the Municipality Planning Code to have the ordinance on the agenda for consideration.

At 7:21pm, on motion from Mr. Derr, seconded by Mrs. Meckley, and carried, Council closed the Public Hearing for Proposed Zoning Ordinance No. 1254.

- Consideration to approve Ordinance No. 1254 amending the following sections of Ordinance No. 1165: Table of contents, Appendix A, definitions, regulations, and specific uses of facilities.
 - On motion from Ms. Fawess, seconded by Mr. Derr, and carried, Council approved this request.
- Consideration to approve Ordinance No. 1253 Borough of Milton Recycling Ordinance. After some discussion on updates from Mrs. Meckley and comments by Mr. Robol, Atty. Wiley commented that it would be unlikely that the Borough would enforce an unauthorized removal of leaves from one's property. Council agreed and the Ordinance moved forward for voting.
 - On motion from Ms. Fawess, seconded by Mr. Robol, and carried, Council approved this request with the following changes: typographical errors, size of containers, and clarification on the leaf collection issue.

(The removal of leaf waste from one's property for the purposes of composting was addressed in the ordinance by removing the following verbiage in Section 10, article 2: on the property where the leaf waste is generated, per above motion.)

- Consideration to approve Resolution No. 24-06 Revising/Imposing Recycling Collection Service Rules, Regulations, and Fees for service in conjunction with Ordinance No. 1253.
 - On motion from Ms. Fawess, seconded by Mr. Derr, and carried, Council approved this request.
- Consideration to purchase a new utility truck for the Milton Fire Department in the amount of \$74,887.00 from Blaise Alexander.
 - On motion from Ms. Fawess, seconded by Mr. Robol, and carried, Council approved this request. Mr. Derr abstained.

A question from the public was asked in regard to how much money was donated by members and organizations in the community. Chief Heddings confirmed that 105 letters were hand delivered to local businesses and industries. To date, we have received 17 back, with a grand total of \$10,600 raised, which is not included in the price that was just approved.

- Consideration to approve paying the bills from the General Fund, Reserve, Payroll, Liquid Fuels and Cemetery accounts in the amount of \$113,456.97.
 - On motion from Ms. Fawess, seconded by Mr. Scheimreif, and carried, Council approved this request.

At 7:34 pm, Attorney Wiley opened a Public Hearing for the Land Development plan of Red Hill Estates and consideration for approval.

Attorney Wiley advised that Mr. Diehl had provided notes to all of Council that provides the history regarding this particular plan. Attorney Wiley asked Mr. Diehl to provide a brief history of the plan. Mr. Diehl provided the specifics of the property: See Exhibit A, attached. Mr. Diehl provided the history of Planning Commission meetings: See Exhibit A, attached. Mr. Diehl gave the Planning Commission recommendation: See Exhibit A, attached. Attorney Wiley asked the developers to introduce themselves and provide a brief presentation.

Mr. Bond Reinhart, the plan engineer, confirmed they had not made any changes, they'd gone through the channels for Phase One. They have 14 lots which do not change the geometry. At the point that they received Planning Commission approval, they reached out to HRG, which is the Borough engineer, for a full technical review. They have received all necessary approvals from DEP for sewage, the Conservation District for EMS controls, and HRG. Also, a traffic study has been introduced, as speed and traffic on Golf Course Road was previously mentioned at a prior meeting Mr. Reinhart stated this is the same plan everybody has seen, there's no additions or deletions, and they have come this evening with all of the approvals that were necessary to get them to this meeting.

Attorney Wiley asked the following questions for background to Mr. Diehl:

- Does the proposed plan, as presently configured, meet the Ordinance requirements both from a Zoning standpoint and a Subdivision and Land Development standpoint?
 - Yes
- Is the developer or the applicant asking for any waivers of any Subdivision/Land Development requirements?
 - Yes, they are, they would like to eliminate the sidewalks along Golf Course Road.
 - Mr. Robol asked if there was a waiver for the distance between the homes. Mr. Diehl replied that there is not a waiver.
- For clarification, all setbacks are what the ordinance requires, lot size is what the ordinance requires, building coverage is what the ordinance requires. The only waiver being requested is sidewalks.
 - That's correct, and the reasoning for the waiver is that the sidewalk basically goes nowhere. Rolling Ridge Association had their meeting, and they did not want anybody using their hiking trail or walking trail. This sidewalk would come up to their sidewalks and entice people to keep going around their property. This waiver would make a nice break between that.

Attorney Wiley then opened the floor for public comments.

K. Barton Reichard, JR. 120 Briarcliff Court, Milton questioned if all 72 lots would have their own stormwater management in which the engineer clarified tonight that they were seeking approval for Phase #1. Phase #1 is just 14 homes, and they would have their own individual unlock stormwater management. Once we get through Phases #3-5, which are the same access, they will share a stormwater management basin and common stormwater management facilities. It was clarified to K. Reichard that tonight they were seeking approval for just Phase #1 and the overall sketch plan. His next question concerned the Milton Regional Sewer Authority (MRSA) and clarified if approval was sought by them. The engineer clarified that all the lots are to be serviced by grinder pumps for Phase #1 and remaining Phases of the development. Approval was given by MRSA.

Virigina Feigles Karr, Chairman of the Milton Planning Commission commended Mr. Stauffer for going above and beyond anything required of a developer. This was our last piece of land to sell in the Borough and he made her proud for all the things he went through to get as many lots as possible from 14 to 72. When this comes to fruition and full build out, she will be the first one there singing praises.

Mr. Diehl clarified that Fogarty/Hubart Homes had the subdivision of that area approved in 2008 and then 2014 with some modifications. This plan is primarily the same expect for some additional houses placed around the entrance of Red Hill and also the homes that are additional, along the east side of Golf Course Road. It does not include the pump stations nor the cost of the bridge going over the ravine, so Fox Glenn will stay disconnected as it is, and Fogarty's plan has been followed with a little bit of tweaks.

Attorney Wiley asked for additional speakers.

Wayne Buckhart, 133 Woodsedge Drive, Milton spoke regarding dual use driveways to serve 2 lots rather than having 14 additional driveways coming out on Golf Course Road as the Subdivision Ordinance does not specifically cover that. Bond, the plan engineer, informed Wayne that they consulted with their traffic engineer, and it was deemed they weren't necessary from his study. Mr. Diehl confirmed that new shared driveways would be a violation of the ordinance because the driveways are to be separated by at least 5 feet. Bond states that Glen Shaffer, traffic engineer, confirmed that the traffic study reads the trip generation study is extremely low in traffic engineering terms and therefore would be expected to have a negligible impact on traffic operations. They concluded that Phase #1 would have a negligible impact on traffic operations.

Attorney Wiley asked Council for questions – no comments

Attorney Wiley confirmed that the waiver is part of the motion to be voted on this evening.

At 7:52 pm, on motion from Ms. Fawess, seconded by Mr. Swartz, and carried, Council closed the Public Hearing for the Land Development plan of Red Hill Estates.

- Consideration to approve the Land Development plan of Red Hill Estates, Phase #1 with the requested waiver for the sidewalks.
 - On motion of Ms. Fawess, seconded by Mr. Derr, and carried, Council approved the Land Development plan of Red Hill Estates with the requested waiver for the sidewalks.

President Walker commented on how proud he was of the staff and the Planning Commission who have spent a great deal of time on this plot of land for potentially 72 additional families to move into the Borough.

Mrs. Meckley informed Council that she provided 2 handouts to Council regarding Recycling.

At this time, 7:56 p.m., motion to adjourn was made by Ms. Fawess, seconded by Mr. Scheimreif, Council adjourned.

Submitted By:

Amy Day
Clerk

Approved By:

Jennifer Lamoreaux
Borough Secretary/Treasurer

(seal)

Exhibit A: Red Hill Estates

THE DATE AND TIME OF THE BOROUGH COUNCIL MEETING: MAY 22, 2024 @ 7:00 P.M.

PROPERTY ADDRESS: 51.6 ACRE LOT ALONG GOLF COURSE & RED HILL RD. THIS WAS PREVIOUS PHASE # 2 OF THE ROLLING RIDGE SUBDIVISION IN MILTON, PA 17847.

TAX PARCEL #: 031-00-016-085

ZONING DISTRICT: PRD

LOT SIZE: APPROXIMATELY 51.6 ACRES

TOPOGRAPHY: SLIGHTLY HILLY FARM FIELDS

CHARACTERISTICS OF THE NEIGHBORHOOD: SINGLE-FAMILY, AND TWO-FAMILY DWELLINGS.

PRESENT USE: UNDEVELOPED PROPERTY PURCHASED FROM FOGARTY / HAUBERT HOMES BY VENTURE GROUP, LLC. HAD BEEN APPROVED FOR PHASE # 2 SUBDIVISION FOR FOGARTY / HAUBERT HOMES.

PROPOSED USE: SUBDIVISION OWNED BY THE VENTURE GROUP, LLC

THE APPLICANT and PROPERTY OWNER: VENTURE GROUP, LLC
ADDRESS: PO BOX 175
SELINGROVE, PA 17847

THE DATE THE ZONING PERMIT APPLICATION WAS SUBMITTED: 03/06/23

THE DATE THE ZONING PERMIT WAS DENIED: 03/06/23

----- HISTORY OF PLANNING COMMISSION MEETINGS AS LISTED BELOW -----

DATE AN APPLICATION FOR PLANNING COMMISSION SKETCH PLAN REVIEW WAS SUBMITTED: JULY 29, 2022

PLANNING CASE NO: PC-2022-06

PLANNING COMMISSION MEETING DATE: AUGUST 09, 2022

SUMMARY OF THE REQUEST:

REQUEST FROM THE APPLICANT FOR PLANNING COMMISSION REVIEW OF SKETCH PLAN AND TO PROVIDE FEED BACK PRIOR TO SPENDING FUNDS ON ENGINEERING AND LDP. 11 LOTS ORIGINALLY AND NOW SUBMITTED AS 14 PROPOSED LOTS.

THE PLANNING COMMISSION DECISION: ASKED THE APPLICANT TO REDESIGN THE SKETCH WITH MORE LOTS AND TO BRING IT BACK AT THE NEXT MEETING FOR FURTHER REVIEW & DISCUSSION.

PLANNING CASE NO: PC-2022-06

PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2022

SUMMARY OF THE REQUEST:

REQUEST FROM THE APPLICANT FOR PLANNING COMMISSION REVIEW OF SKETCH PLAN AND TO PROVIDE FEED BACK PRIOR TO SPENDING FUNDS ON ENGINEERING AND LDP. 27 LOTS WERE PROPOSED.

THE PLANNING COMMISSION DECISION: ASKED THE APPLICANT TO REDESIGN THE PLAN WITH MORE LOTS SUCH AS FLEX LOTS (SINGLE OR 2-FAMILY HOMES) AND CONSIDER ADDING A ROADWAY INTO THE 2 LARGER LOTS OFF OF RED HILL RD AND TO BRING IT BACK AT THE NEXT MEETING FOR FURTHER REVIEW & DISCUSSION. PAT YOUNG & TERESA ASKED QUESTIONS AND GAVE THE HISTORY OF ROLLING RIDGE/BRAD HAUBERT/JOHN FOGARTY AND INSIGHT ON THEIR PRD SUBDIVISION, AND BRIEF INFORMATION ON PAST DEVELOPER INTERESTS IN PURCHASING THE PROPERTY – SPECIFICALLY WHY THEY DIDN'T AND THE OVERWHELMING COSTS ASSOCIATED WITH DEVELOPING THE LAST PHASES OF THE ROLLING RIDGE PRD. A DESIRE FOR A SPECIAL MEETING BETWEEN THE VENTURE GROUP, LLC, AND THE ROLLING RIDGE HOAs WAS EXPRESSED BY VIRGINIA FEIGLES-KAAR & GERALD STAUFFER. PAT YOUNG WILL LET DOUG KNOW SOME DATES THAT THE HOAs COULD MEET SO THAT HE CAN SHARE IT WITH GERALD STAUFFER AND HOPEFULLY SET A DATE.

DATE OF SPECIAL MEETING BETWEEN THE APPLICANT AND ROLLING RIDGE HOAs: OCTOBER 17, 2022

PURPOSE OF THE MEETING: SPECIFICALLY FOR THE APPLICANT TO SHARE THE PLANS AND THOUGHTS WITH THE SOON TO BE NEIGHBORS AND TO ASK FOR THEIR OPINIONS AND CONCERNS.

OUTCOME FROM THE MEETING: THE ROLLING RIDGE HOAs VOICED THEIR CONCERNS ABOUT PHASE # 2 NOT BEING COMPLETED. THERE WAS SEVERAL QUESTIONS ABOUT WHAT THE VENTURE GROUP, LLC, TYPES OF HOUSES TO BE BUILT IN THE PROPOSED DEVELOPMENT, IF AND HOW DEED RESTRICTIONS WOULD BE HANDLED, NO USE OF THE WALKING TRAILS AT ROLLING RIDGE BY OUTSIDERS, COMMON AREAS, WETLAND AREAS, ROADWAYS, THE LOTS ALONG GOLF COURSE RD AND THEIR DRIVEWAYS, SIDEWALKS, ETC. ROLLING RIDGE HOAs WILL SEND DOUG A LIST OF THEIR "MOST IMPORTANT" DEED RESTRICTIONS WHICH IS TO BE GIVEN TO THE VENTURE GROUP, LLC, FOR THEM TO CONSIDER THEIR DEED RESTRICTIONS.

DATE AN APPLICATION FOR PLANNING COMMISSION LD PLAN REVIEW WAS SUBMITTED: MARCH 06, 2023

PLANNING CASE NO: PC-2023-01

PLANNING COMMISSION MEETING DATE: MARCH 14, 2023

SUMMARY OF THE REQUEST:

REQUEST FROM THE APPLICANT FOR THE PLANNING COMMISSION REVIEW OF THE PRELIMINARY PLAN AND TO PROVIDE FEED BACK PRIOR TO SUBMITTING THE FINAL PLAN FOR REVIEW. THE POSSIBILITY OF 72 SINGLE FAMILY LOTS WERE PROPOSED AND DESIGNED INTO A PLAN SET.

THE PLANNING COMMISSION DECISION: SEVERAL ROLLING RIDGE RESIDENTS WERE PRESENT AND ASKED QUESTIONS ABOUT THE PROPOSED PLANS FROM THE VENTURE GROUP, LLC. ALSO, A QUESTION OF THE BOUNDARY BETWEEN THE BOROUGH AND THE TOWNSHIP, AND WERE IT FALLS ON THE PROPOSED DEVELOPMENT. THE PLANNING COMMISSION APPROVES THE MOTION TO RECOMMEND THE PRELIMINARY PLAN BE DESIGNED AS THE FINAL PLAN SO IT MAY BE APPROVED BY BOROUGH COUNCIL WITH THE CONDITIONS THAT THE TRUE BOUNDARY BE FOUND AND ALL FEDERAL, STATE, AND LOCAL APPROVALS BE OBTAINED. DOUG MENTIONED THAT THE USE OF FLEX LOTS COULD RAISE THE LOT COUNT INTO THE 90s. GERALD WILL LOOK INTO IT WITH BOND.

PLANNING CASE NO: PC-2023-02

PLANNING COMMISSION MEETING DATE: MAY 09, 2023 - THE APPLICANT WAS NOT READY AND ASKED TO BE TABLED TO THE NEXT MEETING.

PLANNING COMMISSION MEETING DATE: JUNE 13, 2023 - THE APPLICANT WAS NOT READY AND ASKED TO BE TABLED TO THE NEXT MEETING.

PLANNING COMMISSION MEETING DATE: JULY 11, 2023

SUMMARY OF THE REQUEST:

REQUEST FOR FINAL PLAN REVIEW. THE USE OF FLEX LOTS WILL NOW INCREASE THE TOTAL LOT COUNT TO POSSIBLY 96.

THE PLANNING COMMISSION DECISION: SEVERAL ROLLING RIDGE RESIDENTS WERE PRESENT AND ASKED QUESTIONS ABOUT THE PROPOSED PLANS FROM THE VENTURE GROUP, LLC., HOW LONG IT WILL TAKE PHASE # 1 TO BE SOLD OUT AND THE INFUSTRUCTURE BUILT, THE PARTNERSHIP WITH BERKS HOMES, THE PROPOSED DRIVEWAYS ALONG GOLF COURSE RD, FENCING, SIDEWALKS, AND ITS NOTED THAT THE REQUIRED USE OF SEWAGE GRINDER PUMPS IN EACH RESIDENCE WILL ALLOW THE SEWAGE SYSTEM TO WORK WITHOUT THE USE OF A PUMP STATION PER HRG.

THE PLANNING COMMISSION OFFICALLY MAKES THE RECOMMENDATION THAT THE BOROUGH COUNCIL APPROVED THE SUBDIVISION PLAN (LDP) AS SUBMITTED WITH THE CONDITIONS THAT ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS BE NET INCLUDING THOSE REQUIREMENTS OF HRG, NC CONSERVATION DISTRICT, NC PLANNING, PA DEP, ETC. ALSO, THE PLANNING COMMISSION RECOMMENDS THE BOROUGH COUNCIL APPROVES A WAIVER REQUEST FROM THE APPLICANT TO OMIT THE REQUIREMENT FOR SIDEWALKS ALONG GOLF COURSE RD.