

The Dallas Township Board of Supervisors held its monthly Meeting on Tuesday, April 3rd, 2018 at 7:00P.M. in the Municipal Building located at SR 309 Highway, Dallas, Luzerne County, PA. The following elected and appointed officials were present: Supervisor Frank E. Wagner, Supervisor William J. Grant, Supervisor Robert J. Wagner, Solicitor, Attorney Thomas P. Brennan, Police Chief, Douglas J. Higgins, Road Master, Martin K. Barry, Zoning Officer, Carl Alber, Township Engineer Representative, Thomas J. Doughton, Jr., Tax Collector, Holly Daubert, and Secretary-Treasurer, Nancy Y. Balutis.

Following the **Pledge of Allegiance**, Supervisor F. Wagner made a **Motion to pay the bills**. Motion was seconded by Supervisor W. Grant and carried.

Supervisor F. Wagner made a **Motion to approve the employee healthcare reimbursement for the month of March** in the amount of \$65.18. Motion was seconded by Supervisor W. Grant and carried. Total reimbursement requests to date for 2018 is \$3065.18.

Supervisor F. Wagner made a **Motion to approve the Minutes from the March 6th, 2018 Meeting**. Motion was seconded by Supervisor R. Wagner and carried.

#### **Swearing in of New Police Officer.**

Police Chief D. Higgins stated Paul Henn, of Tunkhannock, PA, was going to be working for Dallas Township as a full time Police Officer and that he was to be sworn in at tonight's Meeting. District Magistrate Brian Tupper administered the oath to Police Officer Henn.

#### **Banking Proposals.**

Supervisor W. Grant said we were approached at our last Meeting by First Keystone Bank to consider possibly moving our accounts and CDs to their bank. We have two other banks we have been dealing with - Luzerne Bank for all our accounts and FNCB for our two CDs. We felt in all fairness that it would only be right to ask them, too, to submit a proposal for all accounts and CDs. Supervisor Grant said he had prepared an interest rate analysis based on a 12-month period on an average deposit balance of \$2,200,000.00 for all accounts and two twelve month Certificates of Deposits totaling \$500,000.00. He said that the proposal submitted by Luzerne Bank gave a rate return of 1.05% on all deposit accounts, giving an estimated return of \$23,100.00 and a rate of 1.25% on CDs, giving an estimated CD return of \$6,250.00. First Keystone gave a rate return of 1.00% on all deposit accounts, giving an estimated return of \$22,000.00 and a rate of 1.54% on CDs, giving an estimated CD return of \$7,700.00. The proposal submitted by FNCB gave a rate return of 1.10% on all deposit accounts, giving an estimated return of \$24,200.00 and a rate of 1.50% on CDs, giving an estimated CD return of \$7,500.00. Looking at the total estimated return rates for all deposit accounts and CDs, the analysis on a 12 month period for Luzerne Bank would be \$29,350.00, \$29,700.00 for First Keystone, and \$31,700.00 for FNCB. The difference between the lowest and highest rate returns by the banks, based on a 12 month period, is only \$2300.00 so he is not sure if the Supervisors feel they want to make a change in banking, moving the money out of Luzerne Bank and putting it in another bank. Supervisor W. Grant asked Linda of First Keystone Community Bank if she would like to explain her proposal. Linda stated she is the Regional Manager of First Keystone Community Bank in the Wyoming Valley. They are offering a jumbo 365 day term CD based on a minimum balance of \$500,000.00 at an interest rate of 1.54% with an annual percentage of 1.55%. They have a three tier rate table for municipal deposit account balances based on minimum balances: for \$2,000,000 and up - there is an interest rate of 1% with an annual percentage yield of 1%; for a balance between \$250,000 to \$1,999,999.99 - an interest rate of 0.90%, with a annual percentage of

0.90%, and for a minimum balance of \$0.00 to \$249,999.99 - an interest rate of 0.55%, with an annual percentage of 0.55%. However, the tier rates could change. If any of the account balances fund up over the tier amount, they could move up in the tier. But if you use your money and it decreases the balance required in the tier, the tier interest rate would go down. It all depends on your cash flow. Supervisor W. Grant asked if each of our accounts would have its own individual tier, or if the tier was based on the total amount held in all of the accounts. Linda replied that the tier amounts are based on each individual held account, where they could fluctuate. Supervisor W. Grant said the other two banks were giving us rates based upon a total balance held in all of our accounts. Linda went on to explain other services offered by First Keystone Community Bank. She asked if the Supervisors had any questions, but no one did. Supervisor W. Grant questioned the other Supervisors if they had to make a decision on this tonight. Solicitor, Attorney T. Brennan, said that their decision should be made by way of a resolution at a Meeting. Supervisor F. Wagner said he felt they needed more time. Attorney Brennan said he, too, felt we need to analyze it a little more. Supervisor W. Grant agreed, saying that the analysis he had prepared had included average deposit balances on all accounts, as had been provided by Luzerne Bank and FNCB, and not as individual account balances, as First Keystone uses to determine their return rates. The total estimated return rates he had calculated on First Keystone, would be considerably less, because he had calculated around \$2,200,000.00 on all accounts. Looking at the accounts individually, we would probably have less than one million dollars in each account, which would lower the minimum balance required for the higher interest rate for the particular tier. Supervisor R. Wagner questioned the percentage rate proposed by FNCB. The copy of the proposal he had received established public funds interest bearing checking with a proposed rate of .85% with the exception of the state checking account, the storm water maintenance account, and the general fund reserve. Those three accounts had a proposal rate of 1.25%. Supervisor W. Grant explained that he had spoken to FNCB in the afternoon and told them that they had broken up the Township's accounts with different rates. He said he told them that all of the Township's accounts are the same, and that we wanted to cover all of our accounts under one rate. They then came back with a rate of 1.10%. Supervisor W. Grant said if we kept the General Checking at their original proposal, the analysis would be fine. It may cause Nancy a few more problems, because she will have to take money out of the General money market account, which would actually get a 1.25% rate which is higher than the 1.10% rate they now have submitted. She'd have to keep moving money into the General Fund when she needed it. Supervisor W. Grant said he had asked FNCB to give him a rate that would cover all of the accounts, like the other two banks had done, so that he would be able to compare apples with apples. Supervisor F. Wagner asked for verification if that was where the 1.10% had come in, in place of the .85% as he had on his copy. Supervisor W. Grant said that it was. All three Supervisors agreed that they would look at the proposals.

### **Opening of Road Materials' Proposals.**

Proposals for the 2018 Road materials were opened and read aloud by Supervisor W. Grant. Results were as follow:

100 tons #1B Stone more/ less del

Brdaric Excavating, Inc. - unit price of \$13.25 for a total of \$1325.00

Haines & Kibblehouse - unit price of \$15.25 for a total of \$1525.00

1500 tons 2A Modified Stone more/less del

Brdaric Excavating, Inc. - unit price of \$9.25 for a total of \$13,875.00

Haines & Kibblehouse - unit price of \$10.55 for a total of \$15,825.00

3000 tons 2RC more/less del

Brdaric Excavating, Inc. - unit price of \$9.00 for a total of \$27,000.00

Haines & Kibblehouse - unit price of \$10.45 for a total of \$31,350.00

500 tons 3A Stone more/less del

Brdaric Excavating, Inc. - unit price of \$11.25 for a total of \$4500.00  
 Haines & Kibblehouse - unit price of \$12.76 for a total of \$5104.00  
 400 tons 2B Stone more/less del  
 Brdaric Excavating, Inc. - unit price of \$11.25 for a total of \$4500.00  
 Haines & Kibblehouse - unit price of \$12.76 for a total of \$5104.00  
 500 tons Gabon Stone more/less del  
 Brdaric Excavating, Inc. - unit price of \$13.85 for a total of \$6925.00  
 Haines & Kibblehouse - unit price of \$15.65 for a total of \$7825.00  
 100 tons R3 and R4 more/less del  
 Brdaric Excavating, Inc. - unit price of \$14.00 for a total of \$1400.00  
 Haines & Kibblehouse - unit price of \$15.65 for a total of \$1565.00  
 100 tons R5 and R6 more/less del  
 Brdaric Excavating, Inc. - unit price of \$17.50 for a total of \$1750.00  
 Haines & Kibblehouse - unit price of \$24.83 for a total of \$2483.00  
 100 tons R7 and R8 more/less del  
 Brdaric Excavating, Inc. - unit price of \$18.75 for a total of \$1875.00  
 Haines & Kibblehouse - unit price of \$28.83 for a total of \$2883.00  
 500 tons Superpave, 9.5mm Fine more/less del  
 Haines & Kibblehouse - unit price of \$61.00 for a total of \$30,500.00  
 1800 tons Superpave, 9.5mm more/less del  
 Haines & Kibblehouse - unit price of \$59.95 for a total of \$107,910.00  
 800 tons Superpave, 19mm more/less del  
 Haines & Kibblehouse - unit price of \$55.45 for a total of \$44,360.00  
 200 tons Superpave, 25mm more/less del  
 Haines & Kibblehouse - unit price of \$51.75 for a total of \$10,350.00  
 1000 Gallons Tack Coat more/less fob  
 No Bid received  
 300 Crack Sealer more/less fob  
 No Bid received  
 30 tons Cold Patch more/less fob  
 Haines & Kibblehouse - unit price of \$115.00 for a total of \$3450.00  
 Hei Way - unit price of \$120.00 State approved for a total of \$3600.00  
                   unit price of \$100.00 State not approved for a total of \$3000.00  
 800 tons Anti-Skid Type I more/less del  
 Haines & Kibblehouse - unit price of \$15.40 for a total of \$12,320.00  
 800 tons Anti-Skid Type IA more/less del  
 Brown Farms Enterprises. - unit price of \$19.25 for a total of \$15,400.00  
 800 tons Anti-Skid Type 2 more/less del  
 Haines & Kibblehouse - unit price of \$15.40 for a total of \$12,320.00  
  
 800 tons Anti-Skid Type 4 more/less del  
 Haines & Kibblehouse - unit price of \$15.40 for a total of \$12,320.00

Brdaric Excavating, Inc., Haines & Kibblehouse, and Hei Way all submitted bid bonds with their proposals. Brown Farms Enterprises submitted a certified check. Bids proposals received will be studied and awarded at the next Township's Meeting in May.

**Kingston Township Summer Recreation Program.**

Supervisor W. Grant said he had received a phone call from Tracey Carr, who indicated to him that Dallas Borough was not going to have their Summer Recreation Program anymore, as they have in years past.

There has been a decline in the number of children who attended the past few years. At a high point, Dallas Township had somewhere around 36 children who attended the Borough Summer Program. Last year, only around 20 children from our Township attended their program. He said the Borough, too, had been going down in numbers. Supervisor Grant said he had contacted Kathy Sebastian from Kingston Township, to see how their program works. He said she provided him with samples from previous Summer Recreation Programs and it seems like a really great program for the kids. The program runs the entire summer. There are field trips and things to keep the kids busy. If we had 20 children last year, the cost will be about \$189.03 per child which would run us about \$3780.00. We only budgeted about \$1200.00 because we thought we would still be under Dallas Borough's program. It is a little over the budgeted amount that we had planned. In prior years, the amount we had paid the Borough was between six and seven thousand dollars per year. Kingston Township is looking for approval from us to go in join in with them in their Summer Recreation Program. Dallas Borough has already notified Kingston Township that they would like to participate in their program as well. Supervisor F. Wagner made a Motion for the Township to go in under Kingston Township's Summer Recreation Program. Motion was seconded by Supervisor R. Wagner and carried. Resident Liz Martin asked if the Township was going to put a limit on the number of children able to attend so that it doesn't get out of hand. Supervisor W. Grant said he didn't think so. Mrs. Martin said she thought a lot of our Township kids had left Dallas Borough's program and went downtown to Kingston Township's Program last year. She said there is probably quite a few kids from the Township that have been attending the Kingston Township Program, not taking into account the number of children from the Township that had attended Dallas Borough's Program last year and may want to join Kingston Township's Program. Mrs. Martin asked if records had been kept on how many kids went from each municipality to Kingston Township's Summer Program. Supervisor W. Grant said he did not know, that Kathy hadn't given him that information. Someone in the audience said Kingston Township had turned the Township children away in the past.

#### **Attorney Brennan - Draft of Contractor Ordinance.**

Attorney Brennan said that Zoning Officer, C. Alber, had told the Supervisors at their last Meeting that he had no knowledge or control over the contractors that come to our Township to work. He had asked if we could put something together that would enable him to know what qualifications each contractor had. That had led to Attorney Brennan putting together a draft of an Ordinance that would require any contractors doing business in the Township to apply for the right to do that, and also to obtain a license which they would have to have on display while working. The license would show the amount of insurance the contractor has, as well as the contractor's qualifications. Each contractor's license issued would be only for the year it was issued. The contractor would have to reapply for a license each year thereafter in order to be entitled to work inside the Township. It is a way to protect the citizens and show the contractor is reputable. However, a contractor's registration and license could be revoked, if the Zoning Officer determined the contractor wasn't reputable. The contractor would also have the right to come to the Supervisors and challenge the Zoning Officer's decision. This proposed ordinance does not apply to anyone doing work on their own property, without assistance from a contractor. Supervisor R. Wagner made a Motion to advertise the proposed Ordinance and consider acting on it at the next Meeting. Motion was seconded by Supervisor F. Wagner and carried.

#### **Ann Marie Carey from Overbrook Road.**

The Township received a request from Ann Marie Carey of Overbrook Road to have a road survey done on the traffic at the intersection of East Overbrook Road, Main Road, and Lower Demunds Road. The intersection presently has 3 stop signs to regulate traffic. Mrs. Carey also voiced concerns about Pizza Paul's fireworks sign placement as well as cars blocking another intersection's views. Supervisor F. Wagner asked Police Chief Higgins about the number of traffic accidents that have occurred there. Police Chief Higgins said he couldn't think of any crashes they have had there. Mr. Barry said this complaint had been made three years ago. The preliminary studies for a traffic study didn't meet the criteria for a traffic study. Mrs. Carey had sent an email two weeks ago. Her main concerns were the truck traffic on

Overbrook Road, the bridge on Overbrook Road with trucks traveling over it, and concern over being able to see as a result of the placement of Pizza Paul's sign. Township Engineer Representative, Tom Doughton, said we had discussed it with PennDot's traffic engineers three years ago. You cannot post stop signs to control speeds. It is against the law. Stop signs are not meant to control speeds. Mr. Doughton said you have to remember - Lower Demunds is a county road, main road is a Township Road, and Overbrook Road is a state road.

### **2017 Audit Report.**

Supervisor W. Grant said this was the second year we had Baker Tilly do our certified audit. We received a clean opinion. Our financial statements are presented fairly and in accordance with all the generally accepted accounting principles. For the year ending December 31st of 2017, our General Fund has a surplus of \$299,165.00 and our Liquid Fuels had a surplus total of \$47,047.00 for a total number of governmental funds of \$346,212.00. The only issue we had in the audit report was a management letter to the Supervisors stating that we had one deficiency in our internal controls and that is the segregation of duties as a result of only having one person in the office. The auditors would like to see someone handle the cash, someone else deposit the cash, and someone else do bank reconciliations and so forth. This provides an internal control to protect the Township's records and assets. Mr. Grant said he thinks we have enough oversight from the standpoint of the Supervisors seeing what bills are being paid on a monthly basis and getting the operating reports. At any time, one of the Supervisors can walk into the office and ask Nancy. A number of times, he himself, has sat by her computer and just took a look at what was happening from a financial standpoint. He thinks we have weighed that and feels that the Supervisors oversee the segregation of duties. He said he wants to thank Nancy. The auditors couldn't say enough about how everything was organized and in perfect order which enabled them to have an easy audit.

### **Dallas Harvest Festival.**

Resident Elizabeth Martin said the only thing she wanted to establish was that Dallas Township will continue to be the umbrella for the Harvest Festival. She said she knows money is being held by the Township for the festival. She wants to make sure the Harvest Festival will run again this year. Supervisor W. Wagner asked if it was money taken in from the Bicentennial. Mrs. Martin replied that it was, but in addition to it, money had been taken in from the vendors, too. She said it is not going to cost the Township anything. Supervisor F. Wagner said that Dallas Borough has the Festival. Mrs. Martin said that Dallas Borough is unable to have the Festival because they're in the middle of road construction. Supervisor F. Wagner said Dallas Borough were the ones who started the Festival, and if they want to have it, they need to talk to the school or someone, because we do not have the room here. He said he does not want to be a part of it. Supervisor W. Grant said he felt last year's Harvest Festival at the school was a huge success. They even had vendors who hadn't taken part in it, come up to them and say they were going to take part in it in future years because the attendance was absolutely great. People praised them as to how well it had been run. There is plenty of parking at the school compared to downtown. He feels since it is not actually costing the Township money, it is basically a self sufficient operating entity. He said he doesn't see why we can't continue to support that until maybe Dallas Borough decides to take it back. Supervisor F. Wagner said he felt that Dallas Borough should be incorporated with it and he doesn't think we should take anything off of Dallas Borough. Supervisor W. Grant said the Harvest Festival has its own separate committee. The only thing we're doing is the oversight. We collect some money and basically that's it. The Harvest Festival Committee does all of the work, and it really doesn't put any burden on the Township staff. Mrs. Martin said the Harvest Festival was created under the "umbrella" of Dallas Borough because of insurance. When Main Street shut down and we happened to be having the Bicentennial last year, it was a no-brainer that it could be part of the Bicentennial, which she said she mentioned last year to the Supervisors, and all had agreed that the Harvest Festival would have a home here under our umbrella until the Borough had everything straightened out in their downtown. There is probably about \$10,000.00 in the account that the Harvest Festival collected from vendors, so

there is no financial burden on Dallas Township. The Festival does not have its own corporation. They need to have a municipality have the oversight and be over them. That is all they really need. Supervisor F. Wagner asked if they would have it again at the school. Mrs. Martin replied that the school district is more than happy to have it there again this year. Supervisor F. Wagner said he just doesn't like taking it off of Dallas Borough. He would like to see Borough people participate in it. Mrs. Martin said she had actually had a conversation just today with Tracey Carr and that she had said Dallas Borough would continue being involved. It is just now that it is here because the school district is located in the Township. Mrs. Martin said if the Board wouldn't mind, the committee would like to have their meetings at the Township building because we are here in the Township. They would be charged if they were to hold their meetings at the school district. Anytime they had a meeting at the school last year for anything, the school district charged them and it wasn't cheap. She said she would clear their meeting dates with the Township, so that there would be no interruption of Township activities. All three Supervisors approved having the Festival at the school and the committee meetings at the Township building,

### **Spring Clean-Up.**

Supervisor F. Wagner announced that this year's Spring Clean-Up will be held from May 7th to May 12th this year. Monday thru Friday hours will be from 8:A.M. until 6:00P.M. Saturday hours will be from 8:00A.M. until 2:00P .M.

The Township will be **applying for a \$250,000.00 "Greenways Grant" for Phase 2 of the Dallas Township Park.** There is a 15% match required. Applications are due in May. Supervisor W. Grant said a grant had been received from DEP for the design of the Toby Creek stabilization through the area where the new park will be. We are going to apply in April and hopefully be awarded in October for the actual funds for the construction of the stabilization including a bridge going over from one part of the playground to the other part that isn't completed at this time. Barry Isett is going to be the group that will be applying for the grant. So we have been very successful in getting grants for the park and a number of other projects that we have, and we are hoping we will also get this one. Mrs. Martin asked where we are with the other grants and when we are looking to bid out contracts for the construction. Supervisor W. Grant said right now with the construction of the park, they feel they will have the bid documents ready by May 15th and we are going to have a meeting sometime in April to finalize that. The bid documents will go out in May. They have to be out for thirty days. First of all, they have to go through the Planning Commission, and based on approvals, they are hoping to get it started this summer with completion planned for sometime in the fall. Mrs. Martin asked how that will fit in with the stream stabilization. Supervisor W. Grant said according to Barry Isett the stabilization will not interfere with the park at all so we can go ahead and finish the park this year and then do the stabilization if we get the grant, which probably won't be until 2019. Mrs. Martin asked if we had spoken to the Conservation District regarding this grant. Supervisor W. Grant said he has a call in to John Cominsky but hasn't heard back from him yet. Supervisor F. Wagner said we also have an MS4 job to do the full length of Southside. Supervisor W. Grant said there's been a lot happening on that street.

### **Police Department Update.**

Police Chief D. Higgins said in reference to **Main Road**, now that they know there is a speeding issue there, they can set up their radar device which would measure the traffic flow. It presently is being used in New Goss Manor, but when it is finished being used there, they can put it down on Main Road. When they figure out the time span, he can put guys down there and hopefully get the traffic to slow down a little bit. We have to use our Enrad system, which is in traffic view and requires 2 guys running it. He said tomorrow there is going to be a vote in the house down in Harrisburg regarding radar. Hopefully, then, we will know if radar will go through for law enforcement. Tomorrow is the big question and the big day. He said we will try to alleviate some of that problem.

He said the second thing he had was to discuss the **white van the police department has.** He said they don't use it as much as they thought they would. He said he had a guy give him a price on a trade-in but

he would like to bid it out to see what we could get for it. It's a 2013 and doesn't have quite 800 miles on it. Mrs. Martin said he would have to check on that because sometimes if you get it through a grant, you cannot sell it. Chief Higgins said he had checked on it with a woman from the LSA grant and she knew nothing that said if you get something with a grant, it has to be kept. Mrs. Martin said there are some grants that do require you to keep it. He said it seems like a waste just sitting there. He said his idea is to take the stuff that's in there. He wants to get a cabinet with pull out drawers for a pick-up truck - which is a lot cheaper and something we would use all the time. Supervisor W. Grant asked if we should advertise it. The other two Supervisors agreed that we should. T. Doughton said we would take it back to the Nissan dealer we bought it from, with that kind of mileage. It would be a very sought after piece. Supervisor W. Wagner said the Nissan dealer would be permitted to bid on it. Chief Higgins said he doesn't like seeing it sitting there when they could have something else they would use every day. Unfortunately it's just not doing what we thought it was going to.

### **Road Department Update.**

Road Department Master, M. Barry, said since our last meeting, they have unfortunately been involved with snow removal and deicing operations. They've been doing a lot of pot hole patching on paved and gravel roads. The February storm did a lot of tree damage. They've been out taking care of a lot of damaged limbs that are affecting lines of sight and affecting the lanes of travel. They started cleaning storm water inlets and storm water infrastructure. They've been doing some building maintenance and they've been helping the police department with police car maintenance and upkeep. The past three months they've been doing a lot of work for their MS4 situation with DAMA, and has joined a committee for the MS4. The committee has expressed its concern that DAMA has not put out any public information yet. Coming into January of 2019, there will be a storm water fee enacted. He said the Committee has really expressed that DAMA needs to publicize that and do public education. Their next meeting is in May. They did not schedule an April meeting because the municipalities involved and the engineering firm didn't have an open date. Also, since the last Meeting, the fuel card system, the Wex Costars that we suggested, is now implemented and went into effect April 1<sup>st</sup>. Every fuel station in the Back Mountain is participating and it's going to be a big asset. Along with that, they are making a request for a budgeted item to be ordered. For this year's budget, they are requesting another attachment for the skid steer, as well as a safety item for it. They want to get another broom. With the new required regulations relating to dust in particulates and silicates in the air, they want to get a watering system for it, too, to protect the operator and also the public. It's going to be a cost of \$6972.00. It's a Costars item. They got three Costars proposals, which turned out to all be the same price. So if it is alright with the Supervisors, he would like to order it tomorrow, The Supervisors all agreed he should order it.

### **Citizens' Comments.**

**Liz Martin** asked if we knew when Upper Demunds is going to open. The Supervisors and T. Doughton stated it is to be open tomorrow. Supervisor W. Grant asked Mr. Doughton if that meant our Township entrance will be closed. Mr. Doughton replied that he thought so. Supervisor F. Wagner said they will be digging that out to put the turning lane in. We'll have to come in off of the new Upper Demunds Road.

**Brenda Pugh** asked if we are conducting another shredding operation for residents. Road Master, M. Barry, responded that DAMA is having one, sometime in May. If you go to their website, all the information should be there.

There being no further public comments, Supervisor F. Wagner made a **Motion to adjourn**. Motion was seconded by Supervisor W. Grant and carried. The Meeting ended at 8:03P.M.

Respectfully submitted by,

Nancy Y. Balutis, Secretary-Treasurer