

The first regular Meeting of the Board of Supervisors of Dallas Township was held on Tuesday, January 2<sup>nd</sup>, 2018 at 7:00P.M. in the Municipal Building located at 2919 SR 309 Highway, Dallas, Luzerne County, Pennsylvania. The following officials and staff were present: Supervisor Frank Wagner, Supervisor William Grant, Supervisor Robert Wagner, Police Chief Douglas Higgins, former Police Chief, Robert Jolley, Road Master Martin Barry, Zoning Officer, Carl Alber, Tammy Miller, Township Clerk, Engineer Representative, Thomas Doughton, Jr., and Nancy Y. Balutis, Township Secretary-Treasurer.

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 employee healthcare reimbursements for 2017 in the amount of \$2401.10. This represents the total amount being paid since our last Meeting in December, 2017. The total amount to date that has been reimbursed for 2017 is \$6497.95.

Supervisor F. Wagner asked for a Motion to approve the Minutes from the December 5<sup>th</sup> 2017 Meeting. Supervisor F. Wagner said Supervisor W. Grant could make the Motion. Supervisor W. Grant asked if we had received the Minutes. Secretary-Treasurer, Nancy Balutis, responded that she had received them from former Assistant Secretary, Liz Martin. Former Supervisor, Liz Martin, who was in attendance at the Meeting, said she had thought she had sent them to everyone. Supervisor F. Wagner stated they were not complete and that was the reason he did not want to make the Motion. Attorney Brennan suggested they be deferred. Supervisor W. Grant said they would defer them to the next Meeting when they are complete.

Supervisor F. Wagner said the first agenda item was a “2017” overview of Dallas Township given by Supervisor W. Grant. Supervisor W. Grant said he had put together a list of everything we had done in 2017, both for the residents and to have on record. Copies were made available for anyone who wanted one.

#### Review of 2017:

##### Tax Rates

Real Estate tax rate remains at 1.25 mills for 2018. The last increase was for the tax year beginning in 2016.

Wage tax rate - 1%. No increase.

Real Estate Transfer tax – 1%. No increase.

##### General Financial Information (as of 12/28/2017)

The total cash balance in Dallas Township bank accounts - \$2,982,000.

Certificates of Deposits (CDs), totaling \$500,000 included in the total cash balance.

2017 surplus – unaudited - \$336,205. 5<sup>th</sup> year in a row of operating surpluses.

##### Financial Management Information

Engaged, via a Request for Proposal (RFP), and was provided with the first independent audit report of the Township’s financial information by Baker Tilly, Certified Public Accountants. An important function to enable the Township to apply for grants for various projects.

Negotiated successfully, with our Police and Road Department unions, to accept changes in the Township’s health care plan provided to employees. Proposed increase from HighMark was 11%-12%.

The final percentage increase resulted in single coverage increasing 4.9% - Family coverage increasing 6.1%. Total estimated savings: \$24,700 for 2018.

2017 estimated budgeted health care self-insurance amount listed at \$35,250.00. Actual usage through 12/28/2017 - \$6497. Savings versus budgeted amount in 2017 - \$28,753.

Secured preliminary approval from the USDA for a \$1,000,000.00, 35 year, fixed rate loan currently quoted at 3.35% for the still pending purchase of the office building at 105 Lt. Michael Cleary Drive.

#### Township Pension Information

Administration and the Township's Pension Committee reduced our targeted expected rate of return to 6.5% from 7%. This is considered a positive, conservative decision on the Township's part by our actuary, Anderson Consulting.

Balance of Police Pension Fund 1/1/16 - \$4,058,515 - 11/30/2017 - \$4,501,623. Increase of \$442,108.

Balance of Non Uniform Pension Fund 1/1/2016 - \$1,926,368 - 11/30/2017 - \$2,153,260. Increase of \$226,892.

Developed and solicited responses from potential pension financial management firms to manage the Township's two pension plans. Seven firms responded. The contract was awarded to InR of Media, PA. This firm manages 77 municipal pension funds. Based on our former provider's management fees proposed at 74 basis points and with our new firm's rate at 43 basis points, the savings is estimated to be approximately \$20,600.

#### Capital/Equipment Purchases in 2017

Road Dept.

2017 Felling 14 Ft. equipment trailer \$12,744

2016 (new) Caterpillar 420F backhoe \$76,633

2017 Freightliner all-wheel drive dump truck, snow plow, salt spreader \$179,093

Police Dept.

2017 Police Cruiser fully outfitted \$36,119

2017 Unmarked Police Cruiser \$28,746

New Taser equipment for each officer

#### Grants/Contributions successfully awarded to the Township for various projects

LSA grant for the development and construction of the Dallas Township playground - \$236,194. No Township match required.

DCNR grant for the balance of the funds requested for the development and construction of the playground - \$200,000. 50% Township match required.

DEP grant for the design and permitting for the Toby Creek stream bank restoration along the proposed Dallas Township playground - \$36,500. 15% Township match.

\$75,000 private, cash, contribution to the park construction by the Metz Family.

#### Community Events

Dallas Township Bicentennial celebration events conducted throughout 2017.

Dallas Harvest Festival held at the Dallas School District campus.

First Dallas Township Christmas tree lighting ceremony attended by over 300 plus residents.

#### Road Department Accomplishments

Received two grants for storm water and road improvements.

Upgraded 18 miles of gravel roads.  
2 lane miles of road paved by the department in addition to numerous road areas milled and sectional pave repairs.

Roads paved by sub-contractors – Skyview, Woodcliff, and Grandview. 3,128 lane feet milled and paved.

#### Police Department Accomplishments

Increased the force's manpower by adding an additional police officer.  
Established the position of Assistant Chief of Police.  
Department was reaccredited by the Pennsylvania Police Chief's Association.  
Implemented the on-line records management system for the department.  
Officer R.J. Odgers designated as the Back Mountain regional drug co-coordinator.

#### Administration Accomplishments

Successfully negotiated a union contract with the road department and their union, Teamsters Local 401.

A comprehensive plan for the rezoning of the Township forwarded to the Zoning Board for review. Expect a 2018 approval by the Board of Supervisors.

Township zoning office issued 165 building permits in 2017.

These were some of the accomplishments we achieved in 2017 and we're looking for a prosperous 2018.

Supervisor F. Wagner made a Motion to approve **Resolution #2018-1: A resolution to levy and re-enact the 511 Taxes:**

Real Estate Tax for the year 2018 – 1.25 mills

Real Estate Transfer Tax for the year 2018 – 1% of the value of the real estate transferred

Earned Income Tax for the year 2018 – 1%

Local Services Tax for the year 2018 - \$52.00

Motion was seconded by Supervisor W. Grant and carried. Attorney Brennan said it might be good to note that we didn't have the Per Capita Tax last year, and still did not have to raise taxes.

Motion was made by Supervisor F. Wagner to approve **Resolution #2018-2: A resolution authorizing the locally elected tax collector to provide tax certification upon request by the public and to assess, collect, and retain a fee of ten dollars as compensation.** Motion was seconded by Supervisor R. Wagner and carried.

Supervisor F. Wagner made a Motion to approve **Resolution #2018-3: A resolution to oppose House Bill 1620, entitled the "Wireless Infrastructure Deployment Bill"**, whereby Dallas Township would agree to support the deployment of broadband services – both wired and wireless – in our community and throughout the Commonwealth. Motion was seconded by Supervisor W. Grant and carried.

Supervisor F. Wagner made a Motion to approve **Resolution #2018-4: A resolution to approve the DSD Component 3 Sewage Planning Module for the Dallas School District.** Supervisor W. Grant asked Township Engineer Representative, Tom Doughton, if he had anything to say about it. Mr. Doughton said it basically is normal procedure. The moratorium they requested before – DEP sent Dallas Township and the School District a letter granting them an exemption, since they are replacing the existing school and the sewage flows are actually projected to be less. Tom said he would recommend

they grant the module. Supervisor F. Wagner made a Motion to approve the sewage planning module. Motion was seconded by Supervisor W. Grant and carried. Tom said it would have to be executed by the Supervisors, school, and DAMA.

**Conditional Use waiver request from the Fellowship Church** – Keith Miller from Bassett Engineering was present to represent the Fellowship Church on Hildebrandt Road. He said they are proposing an expansion of approximately 18,500 square feet, which is proposed to be within the three sided courtyard area created by the existing buildings. The expansion will extend a short distance to the west of the existing building limits. In addition to the building expansion, the proposed development will include expansion of parking facilities which will include a paved parking lot, pavilion and shed as well as storm water management and septic disposal facilities. They realize they cannot get approval or recommendation tonight from the Supervisors, but would like to familiarize them tonight with the project they are proposing. What they are proposing is a waiver from the conditional use that is normally required for this use in this type of zone. Based on discussions with the Township's Zoning Officer and Township Engineer, they have submitted the request with the requirement for this church's expansion. Supervisor W. Grant asked Engineer Representative, Tom Doughton, if, with all the paving required for the additional parking, they will have to go through land development. Tom replied that they need conditional approval before they can submit a land development application. The Ordinance requires them to either get a waiver or to get conditional use approval like we have gone through with the School or Ecumenical Enterprises. If granted the waiver by the Supervisors, they would be the first. Attorney Brennan asked if they had submitted a conditional use application or if they were just requesting a waiver in general. The engineer replied that they are requesting a waiver for a Conditional Use. Attorney Brennan said that, except for the short summary he provided tonight, we really don't have any information about the project. He said the Supervisors have a right to waive a conditional use requirement, and that a lot of times the request leads to a waiver of an environmental impact study. The Supervisors can certainly entertain their request, but feel they do not have enough information to grant the request. Mr. Doughton asked if he could interject. He said this project is somewhat unique. An environmental impact study was originally done of the Church. If you've ever seen the Church, it is actually three sides, and they're closing in the middle. Zoning Officer, Carl Alber, said it is actually like a "U". Mr. Doughton agreed, and said they are closing in on the two wings. The area is in an A-1 zone. If you have read our Ordinance, in an A-1 zone, our Ordinance requires one of two things be met for a nonresident conditional use – one, the initial or cumulative earth disturbance activity which equals or exceeds 80,000 square feet of surface area, or two – the initial or cumulative construction, placement or installation which equals or exceeds 15,000 square feet of buildings, structures, and/or other impervious surface area. So they are going to fall within the 15,000 square feet required for a conditional use. Instead of going through the process for a conditional use, they are asking for a waiver so they don't have to go through it. They will still have to go through Planning and Zoning and everything else. They will still be required to submit a land development application. Attorney Brennan stated he feels we should have some more input on this from both our Engineering and Planning Commission before making a decision to grant the waiver. Bassett Engineering said they will also be proposing this expansion project to our Planning Commission next week, where hopefully, they will make the recommendation to the Supervisors to grant the waiver request. Then it will be back in the hands of the Supervisors, who have the ultimate decision to grant the waiver or not. We have made everyone else who have asked for a conditional use go through the process. By having the input from our Engineering and Planning Commission, hopefully we'll have the information needed to make the right decision. Jack Dodson, Planning Commission Chairman, said it used to come to the Planning Commission first, and they would recommend to the Supervisors if a waiver for a conditional use should be granted or not. Attorney Brennan said that it what he is trying to say. The Planning Commission are the ones with the

expertise to know if a waiver should be granted or not. Supervisor F. Wagner thanked Mr. Miller for coming. He said, now, when the Planning Commission comes back to us with their recommendation on this, we will know what they are talking about. The Board thanked him for coming and Mr. Miller thanked them for their time. Mr. Dodson asked Tammy Miller, Secretary for the Planning Commission, if the Fellowship Church was on the agenda for the Meeting next Tuesday. He reminded her about the timeline required for submission of plans prior to being put on the agenda. Mr. Doughton said this plays a part in the Comprehensive Plan, which the Township has worked on now for two years and has finally concluded on it, at least he hopes they have. A final recommendation was made to the Board of Supervisors that will obviously affect the School District, Misericordia, and any institutional building in an “institutional zone”. It will eliminate the need for conditional use approval. The conditional use requirement applies in this case because they are in an “A-1” District.

- Moving on, Supervisor F. Wagner made a Motion to **set the following employee wages for 2018**: Secretary-Treasurer, Nancy Balutis – salaried at \$52,212 annually; Township Clerk, Tammy Miller – an hourly wage of \$17.06 part-time at an average of 30 hours a week; Carl Alber - \$22.64 an hour working a maximum of 37 hours per week; Police Secretary, Susan Maloney – full-time with wages set at \$13.26 per hour; Road Master, Martin Barry – salaried at \$63,704 annually; Truck Drivers – as detailed in the union contract at \$22.80 per hour; and Housekeeper, Hope Wanek – part-time at an hourly rate of \$15.38 per hour. Motion was seconded by Supervisor W. Grant and carried.

**Appointment of Township Representative and Alternate to serve on the Back Mountain Community Partnership** – Supervisor W. Grant stated he had agreed to serve as the Representative, and said Supervisor F. Wagner would have to serve as the Alternate, since Supervisor Robert Wagner works until 3:30P.M. Supervisor F. Wagner made a Motion to appoint Supervisor W. Grant as Township Representative on the Back Mountain Community Partnership, and to serve as Alternate himself. Motion was seconded by Supervisor W. Grant and carried.

Supervisor F. Wagner made a Motion to approve **Ordinance #2018-1: An Ordinance to just create the position for a Township Manager.** Motion was seconded by Supervisor W. Grant and carried. Supervisor F. Wagner made a Motion to approve Resolution #2018-5: A resolution whereby the Board of Supervisors would establish a 5 person panel to review the credentials and interview prospective candidates for the position of Township Manager, as well as to advertise the position. Motion was seconded by Supervisor W. Grant and carried.

Supervisor F. Wagner made a Motion to **amend Resolution #2017-4 (DEP’s Growing Greener Grant for the rate grant dollar amount not to exceed \$36,500.00 with a project completion date of December 31<sup>st</sup>, 2020.** Motion also included **designation of Supervisor W. Grant for executing all further documents and agreements between Dallas Township and the PA Dept of Environmental Protection** required to facilitate and assist in the grant. Motion was seconded by Supervisor R. Wagner and carried.

Secretary-Treasurer, Nancy Balutis, said the Township had received a **letter from the SPCA**, with hopes that all 77 municipalities in the Township would enter into a contract agreement with them by March of 2018. The agreement would require the Township to pay for the stray animals they pick up inside the Township. If the Township does not enter into the agreement, beginning in March, the SPCA will no longer pick up any stray animals found inside the Township lines. When they originally had proposed the agreement, we had sent them a letter stating we were going to opt out and have Blue Chips take our

stray animals. The Supervisors agreed we had made arrangements to have Blue Chip take our stray animals.

Supervisor W. Grant made a Motion that upon certification from Township Representative, Tom Doughton, **to reduce the Letter of Credit by \$50,880.00 as requested by C&N Dining (Yalick Farms)** for work completed. The present Letter of Credit held is in the amount of \$193,777.75. With the reduction, the revised Letter of Credit is to be posted in the amount of \$142,897.75. Motion was seconded by Supervisor F. Wagner, to approve the reduction, and motion was carried.

The Township received notification that Suez Water has applied to the PA Dept. of Environmental Protection for **a stream crossing permit along Hildebrandt Road for the culvert project** they are doing.

Notification was received from DAMA that the **2018 sewer rate** has been set at \$428.00 per EDU per year. We will still realize the lowest sewer rate in the Back Mountain/Harvey's Lake area and will remain well below the state average of approximately \$500.00 per EDU per year. The recycle rate will remain the same at \$240 per EDU per year.

Police Chief Douglas Higgins said he had nothing to **report to the Township regarding the Police Dept.** Former Police Chief, Robert Jolley, said they will be completing the mandatory in-service training required, by the end of January, at no cost to the Township. Afterwards, three more officers will then be critically incident trained in dealing with the mentally challenged. This will bring us up to 6 officers that will have been trained. This training is going to be mandatory with the Police Academy. This training, too, will also be at no costs to the Township.

Road Master, Martin Barry, said **the Road Department** had gotten in two more days with the leaf vac truck since our last Meeting in December. They have gotten in some pothole patching, finishing some sectional repairs. All snow related equipment has been put into service and everything is working right now. They have been dealing with the inclement weather. If the Road Department sees Christmas trees by the curbs, they will pick them up anytime throughout January. They have, however, dedicated the third week in January for tree pick-ups.

Supervisor F. Wagner asked for **citizens' comments**. **Jack Dodson** said he had spoken to Liz Martin about Blue Chips not being opened 24 hours a day. They have certain hours. After hours, if someone needs them to pick up a dog, they can call either him or the kennel. They will be glad to pick them up. They have helped the State Police, and have picked dogs up even in Meshoppen. There will be no charge to the Township for their services. However, when people pick up their dog, they will be charged their normal boarding rate. They have even gone out at 1:00 in the morning, our Township has called him, and Officer Brian Feeney has also brought dogs out to him at night. He said he just wanted to throw it out there, so that the Supervisors know they can continue with Blue Chip, with him covering pickups during Blue Chips off hours. The girls at the kennel will go on Facebook to see if anyone is looking for their dog. They will even call the SPCA to see if they have had any inquiries about lost dogs. But, he said, they will never take a dog to the SPCA. If he has a dog for five days or more, they will call Blue Chips, but will continue to do their best to find the dog's owner. The Supervisors agreed they are fine with that arrangement. Police Chief Higgins said it is good to know they have someone to call that will help.

Supervisor W. Grant said since Dr. Duffy is at tonight's Meeting, he would like to know if we would be able to keep the electric service on since **the tree lighting service** was a huge success. We would like to

know so we can plan for next year. If he could go back to his Board to obtain their approval, we would be very appreciative. It was just such a great event. Dr. Duffy said he attended the event, and that it was a fantastic event. He said Mr. Pugh had already made it a condition for him to attend tonight's Meeting. He said he can't see any problem with it, it was a great event, and it will be something to have annually inside the Township. He'll follow up on it, but he doesn't foresee any problem.

**Alan Pugh** said he would just like to say congratulations to Chief Jolley on his retirement and congratulations to Chief Higgins on his appointment. Supervisor Grant said Police Chief Jolley has done a great job with the other officers. We have a first class police department. He said Chief Jolley should really be proud.

**Brenda Pugh** said she would just like to talk a little more about the **Christmas tree**. It is still up over there, but will not be lit anymore this year, as Sue Vanhorn has retired for this year in going and turning it on each evening. Supervisor F. Wagner inquired if they could have used a timer on it. Mr. Pugh said it uses a lot of power. It had taken 4 generators to light it, while they were waiting for the electric company. Brenda said she could guarantee that the tree lights had never gone out during the ceremony. She said that Liz Martin and her husband had volunteered to help take the ornaments down with their equipment, but that because of the tree size, wondered if it would be possible for the Road Department to take the tree down when it warms up sometime. She said they were also going to need somewhere to store the glass lights and the tree stand. Supervisor F. Wagner said we would be able to store the stand. Brenda said the stand had been handmade by Pulvermans and does come apart. The legs fold and there are 8 stakes that come with it to drive it in. Supervisor W. Grant said he thinks the weather may have kept some people away, and that hopefully, the weather will cooperate next year so that we can have double the amount of people that we had this time. Brenda said she also wanted to thank the School District for distributing the ornaments because it was nice to see whole families hanging their ornament on the tree. She said another great thing about it was that we had 17 or more entries in the decorating contest, which was organized by Mary Lou Grant and the Bloomers, and that they should be considered to have again next year. Mr. Alber asked if they had decided if they were going to discontinue the power and then hook it back up again in November. Alan replied it is something that should be considered. Right now, they only charge you when you use it. They have a temporary pole that can be replaced with a permanent pole if the School District is okay with it. They would then just borrow the pedestals from the fair and then run the power over to it. Right now, he is not sure just what they are going to do. They had to give a check to UGI to hook it up. Mr. Alber said there was no charge for the inspection that was done. Alan said they probably will call UGI to see what the best thing to do will be. Supervisor W. Grant asked Brenda if she was going to chair the event again next year. Laughing, she replied she would only if she had the same committee with her.

**Joe Dreier**, who resides in the Maples, was present. He said he had missed the last Meeting but that his Mom had filled him in about it. He is concerned about the shooting incident across Upper Demunds Road from Goodleigh Farms that had taken place. Supervisor F. Wagner said it already was taken care of. The man had paid his debt. Mr. Dreier said he works with the woman whose house had been hit and that as of a few days ago, it hadn't been paid. He asked what the status was of this situation. There had been some talk about finagling some regulations and that someone was going to look into that. Supervisor F. Wagner said he knew the owner's insurance company had been paid \$770.00. Zoning Officer Alber explained that Mr. Dreier is asking about the Township establishing an Ordinance regarding shooting ranges in the Township. Attorney Brennan said he had sent everyone a copy of the Township's shooting Ordinance, and had found that it was much stricter than other neighboring municipalities. He said if it is obeyed and enforced, it is a good Ordinance. One thing discussed at the last meeting, as he

remembered it, was if the Township could establish a shooting range as a Township facility within the boundaries of the Township. As he remembers it, it was established that there are well run ranges outside of the Township that are not too inconvenient for people to go to. There was also talk about whether Irem could be used. Attorney Brennan said he had come out of the last Meeting with the feeling the Supervisors did not feel it was necessary to establish a facility for a shooting range within the boundaries of the Township. There are a number of similar ranges already that are within close proximity. The Ordinance states that if one has a shooting range within their property, they have to meet the conditions and requirements of the NRA. He said he thinks we felt that our Ordinance is a reasonably balanced and appropriate Ordinance if the rules are obeyed and enforced, and that it was not necessary for the Township to establish its own shooting range. On the particular matter involving the shooting incident, Attorney Brennan said he feels the District Attorney had provided a very extensive letter that was made available. He said he had read the letter and as he understood it, the parties involved had apologized for whatever harm was done and he's not sure whether it said they had paid it or had agreed to pay it. The gentleman's whose house was shot at had met with the detectives and were satisfied with the results. It is the best summary he feels he is able to give about last month. Mr. Dreier said he did not know if we can go beyond state laws. Going back to the District Attorney, was it felt that there had been no crime committed? Attorney Brennan stated that that was his understanding. Mr. Dreier asked if it was also the understanding of our Police Department that no crime had been committed. Attorney Brennan stated the Township had gone beyond what they had to do by seeking out the District Attorney. Normally, if there is a violation, the Police and/or the Code Enforcer go to the Magistrate, where a summary hearing is held, and if found to have violated the Ordinance, the party would be fined. But the police, in this case, sought out the District Attorney to conduct an investigation. The District Attorney had sent an extensive letter stating there had been no crime committed. Mr. Dreier said he has small children of his own, and the thought of someone shooting bullets through his neighbor's house while they were outside playing basketball is very emotional and upsetting to him. He understands people have the right to own and shoot a gun, that that is one reason we have ordinances and laws, but not in a neighborhood where bullets are permitted to be shot and land in a neighbor's yard where kids are outside playing, like it happened in his neighbor's yard. He asked how we can protect the residents of this Township when the codes are not enforced, because as far as he can see, the party involved in this incident should have been fined. He said he is not a lawyer, but it seems pretty black and white to him. Mr. Dreier asked what is going to be done about it if it happens again. What are we going to do about it to keep his kids safe. Is it going to be a violation, a penalty, or a fine? Because the only thing he feels to keep it from happening again, is if there is a penalty. Looking at the exclusions in section 94063 dealing with firearms, one is permitted to have a gun range in his back yard and is able to fire as long as he is one hundred fifty feet away and is within the NFA guidelines. Supervisor F. Wagner said it is within one hundred fifty yards, not feet. Attorney Brennan agreed with Supervisor F. Wagner, stating it is one hundred fifty yards, and that you cannot shoot across into someone else's property. And if someone should do this, then you should call the police, where if they determine there has been a violation of an ordinance, they will arrange to have you cited by taking you to the Magistrate where a summary hearing is held and a fine is issued, or they can take you to the District Attorney if they feel there could be a state crime. Mr. Dreier asked why it wasn't done in this case. Attorney Brennan said he doesn't know why it wasn't done in this case, but if you read our ordinance, we have made a point in saying that if it happens, our police enforce the ordinance and we are also able to ask the District Attorney for an investigation, which is what happened in this case. The people in this case were given a notice rather than taken to the Magistrate where it would have been said that there was an actual violation that had occurred. Attorney Brennan said that Mr. Drayer isn't the only one that has children. He, too, lives in the woods. We are all concerned, and we try to balance everything out. If you read our ordinance, and compare it with other ordinances, you



will see what we are able to do and will find it is a very thorough ordinance. Police Chief Higgins said an investigation in that case was done by his officers that very same day, and that they had determined there was no crime done. People were not happy with their findings. They called the District Attorney and asked them to conduct an investigation. They determined there was no crime committed. There is no way we can say no one is ever going to get hurt. Someone can be in the vineyard across the street, shoot at a deer and miss, and have the bullet ricocheted into a car. We have had that happen. And this is what happened in this incident. That is why it wasn't taken to the Magistrate. However, if the victim wasn't satisfied with our findings, they could have filed a civil suit on their own and gone to the Magistrate. Mr. Dreier said he didn't understand the police findings. The bullet fired across a state road. Police Chief Higgins said it wasn't an intentional act. That is the law. The person was shooting into a dirt bank and it ricocheted off of a rock. Mr. Dreier said he doesn't understand. It was reckless endangerment. Chief Higgins said it's not. The police officers, himself, and the District Attorney all determined it wasn't. If the victims don't agree, they can file a civil suit on their own. Mr. Dreier said we live so close to the schools, and feels we should be able to do something more. Again, Chief Higgins said there is no way to guarantee safety for anyone all of the time, or even that it won't happen again. That is why we have a Code Enforcer. Code Enforcer, Carl Alber, said even when hunting, a bullet can ricochet – there is no way to guarantee everyone's safety all of the time. Mr. Dreier said this wasn't a hunting incident, but rather a target shooting. Mr. Alber said, yes, it was, the party had violated the ordinance in that he wasn't one hundred fifty yards away from a structure, and because of it, he had been given a warning about it – and that it has never happened since. If it had happened again, he would have gotten a fine from the Magistrate. Mr. Dreier said he is not sure his kids are safe, with this kind of justice – and feels he and everyone else should be able to be. He thanked the Supervisors for their time.

Supervisor F. Wagner made a **Motion to adjourn the Meeting**. Motion was seconded by Supervisor W. Grant. The Meeting adjourned at 8:05P.M.

Respectfully submitted,

Nancy Y. Balutis  
Secretary-Treasurer