

The Dallas Township Board of Supervisors held their monthly Meeting on Tuesday, June 5th, 2018 at the Municipal Building located at 2919 SR 309 Highway, Dallas, Luzerne County, PA. The following elected and appointed officials attended: Supervisor F. Wagner, Supervisor William J. Grant, Supervisor Robert J. Wagner, Solicitor, Attorney Thomas P. Brennan, Police Chief, Douglas J. Higgins, Police Officer, John Mendygral, Road Master, Martin K. Barry, Planning Commission/Zoning Hearing Board Secretary, Tammy L. Miller, Township Engineer Representative, Thomas J. Doughton, Jr., 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.

Total **employee health insurance reimbursement** for this year is \$3715.18. There were no reimbursement requests during the month of May.

Supervisor F. Wagner made a **Motion to approve the Minutes** from the May 1st Meeting. Motion was seconded by Supervisor R. Wagner and carried.

Award Presentations to Police Officers from the American Federation of Police

Police Secretary, Susan Maloney, stated two Dallas Township Police Officers would be honored this evening with American Police Hall of Fame Awards. John Bergen, a member of a trustee organization of the American Federation of Police for twenty years, nominated the two officers after seeing an article in the paper where the two officers were recognized for their quick thinking efforts that resulted in protecting our community. Former Township Police Officer Taylor Dunn, who now resides in Florida, assisted Dallas Borough Police Officer, Michael Kretchmer on a call involving two non-responsive males and their dogs as a result of carbon-monoxide poisoning. The doctor at the hospital had said if the men had been left in the home for just two more minutes, they would have been dead. Police Officer John Mendygral apprehended a felon actively involved in a burglary at Fino's Pharmacy in Dallas Borough. It is because of Mr. Bergen that Officer Taylor Dunn was honored with a life saving award and Officer John Mendygral honored with a general accommodation award. Police Chief, D. Higgins, presented Officer Mendygral with a certificate, uniform bar and lapel pin. Due to Officer Dunn not being able to attend the Meeting, Police Chief, D. Higgins, presented his award to his parents, Mr. and Mrs. Boyd Dunn.

Introduction of Police Department Chaplin

Police Department Secretary, Susan Maloney, stated that with a decline in the number of clergy and limited time they have to be available, the presence of clergy as responders when emergencies take place is much less today than it used to be. As a result of the tragic incidents occurring around the world, Police Chief, D. Higgins, feels the time has come when the Police force again needs the assistance of clergy. Chief Higgins said there is no way to tell when emergencies might happen in our Township - Hopefully, there never will be any, but there has been so many school shootings and fatal incidents taken place, we just don't know. He introduced Pastor Matthew Tarr of High Point Baptist Church in Larksville who has volunteered to serve as Chaplin for the Township's Police Department. He will assist the police by calming victims and supporting the police officers. He will also be available for Police Officers' families.

Dallas Kiwanis member, Abby Patrick - Ice skating rink

Mrs. Patrick stated she had approached the Supervisors at a Supervisors Meeting a few months ago regarding the Dallas Kiwanis Club erecting a temporary ice skating rink in the Township's Southside Ave. Park. She provided the Supervisors this evening with a certificate of Insurance to make sure everything needed is covered. She also provided a booklet that she said should include any questions we might have, but if not, to feel free to contact her. She said the Kiwanis Club had decided to put the ice rink on the basketball court. They now need to go and raise funds, but wanted first to make sure the project is still a go on the Township's end, as long as the insurance is up to par. The Supervisors told her that the Township thinks the ice rink will be an asset to the Township park and told her it is still a go.

Panel's Recommendation for Township Manager

Supervisor F. Wagner said the Supervisors had opted to have a panel of five to review the resumes received for the advertised position for "Township Manager". The panel included the three Supervisors and two people from the Back Mountain area. They conducted interviews with the top three candidates, and had unanimously recommended Martin Barry to be the Township Manager. Township resident, Liz Martin, asked if she could ask a few questions prior to the Supervisors voting on the position. She asked if Mr. Barry was taking the salary that was offered for the position. She said she knows he presently makes a significant amount more as the Township's Road Master than the amount that was offered for the Manager position, and she wanted to know if he was taking the position as it was presented. Supervisor F. Wagner stated Mr. Barry would have two positions - one as Manager and the other as Road Master. He said he had stated in January that he didn't feel the Township needed a Manager, but had gone through the process of advertising for one. He doesn't feel a full time Manager is necessary. After a lengthy discussion, this was what the Supervisors had come up with. Supervisor W. Grant said one of their concerns about moving down to the new building was that a receptionist would need to be hired for the foyer or lobby area because of increased activity, due to Representative Boback also having her office there. It was suggested and agreed upon that they would hire an assistant that will fill that position. They will be responsible for doing web pages, newsletters, work on MS4, and a variety of other duties. They also plan on appointing an assistant Road Master, who would get a bump in pay with a slight increase. It was suggested they advertise for a road Worker, an Administrative Assistant, and an accountant for Nancy Balutis's replacement for when she retires. This process is going to start ASAP. Mrs. Martin asked when the specifics would be available for the new positions. Supervisor W. Grant said they will need between a week to ten days to prepare the positions' requirements. Mrs. Martin said she wasn't sure on all the legalities with voting, but questioned if there wouldn't be a conflict of interest for Supervisor R. Wagner to vote on his boss for a position. Attorney Brennan stated it was a good question that he hadn't thought about, but said he didn't feel there would be one. The intent was for the panel to originally recommend one candidate for the position to the Supervisors. The Supervisors would then take the recommendation into account, but would vote on the person to be awarded the position at a public Meeting, ultimately making the selection themselves. Because the Committee's selection of a candidate was unanimous, it was assumed the Supervisors' selection at the Meeting would be unanimous as well. Attorney Brennan said he didn't really feel there would be a conflict of interest, but suggested Supervisor F. Wagner make a Motion to appoint Martin Barry as Township Manager. Attorney Brennan then asked Supervisor W. Grant if he had a vote on that. Supervisor W. Grant said before he voted, he would like it to be on record that he does have some concerns, as he has confessed to his fellow Supervisors. He doesn't have concerns about Martin Barry's abilities, but has a concern about him holding the position of both Township Manager and Township Road Master at the same time. He understands their plan is to hopefully train another person to be the Township Road Master, but he feels there is a lot of work here at the Township that both he and his fellow Supervisors do not understand. He said that over the last six months, he himself had been thrown into a lot of this. He has spent a lot of time at the Township doing things, answering questions, looking at grants, and so forth. One thing he feels is important is for the Township to hire an administrative assistant who will be able to take some of the work load off Mr. Barry, because he feels there is a lot to do over the next year or two with grants and other things. Supervisor W. Grant said his fellow Supervisors agreed that they will look for a new Assistant Administrator for the new Township building. So he wanted to put that into the record but said he would support the recommendations from the panel, because that was one of the reasons they established the panel. The two gentlemen from the community spent a lot of time reviewing the resumes. They asked a lot of questions prior to highlighting some of the facts and so forth. So, he feels the process was worthwhile and that the panel conducted its selection in a manner the Supervisors had wanted. Supervisor W. Grant said he wasn't taking away from Martin Barry. He thinks Martin is a fabulous Road Master - probably the best in Luzerne County. He truly believes this, and wants Martin to be successful, but his concern is with him holding the two positions, will he be able to be successful? He said he hopes so. He will support the panel's decision and vote "Yes". Township Resident, Clarence Michaels, asked what Mr. Barry's salary will be. Supervisor W. Grant said his salary will remain the same as Mr. Barry is receiving right now as Road Master. He said the plan is that the Administrative Assistant would be in the \$15.00 to \$18.00 range (32 to 35, somewhere in there). Supervisor Grant said that by "Administrative Assistant" he means much more than a secretary - someone who has the skills to understand computers, do newsletters, some of the social media items, and MS4

work, which is really a big chore for the Township. So the position will need to be someone who really has some skills. Attorney Brennan asked Supervisor F. Wagner how he was voting. Supervisor F. Wagner said he voted "Yes" to have Martin Barry the Township Manager and Person in Charge of the Road Crew. Attorney Brennan stated that with the quorum here and the majority voting, the Motion passes. In an effort to being overly cautious and protect everyone as much as he could, Attorney Brennan recommended Supervisor R. Wagner recuse himself and abstain from voting on this matter. He then congratulated Mr. Barry on being appointed the Township Manager.

Pauly Friedman 5K Walk/Run

Supervisor F. Wagner stated Family Service Association of Wyoming Valley had requested permission to hold the Paula Friedman 5K Walk/Run on Sunday, August 5th, 2018. Police Chief Higgins said their paperwork and certificate of insurance was turned in. Supervisor F. Wagner made a Motion to grant the request to hold the Pauly Friedman 5K Walk/Run on August 5th. Motion was seconded by Supervisor R. Wagner and carried.

Ride for Gary

A request was received from Ride for Gary to hold a bicycle ride on Saturday, August 4th in memory of Attorney Gary A. Michak. Because of concerns by Police Chief D. Higgins of the race crossing across Route 309 by the Kunkle Fire Company, and not having yet received a phone call back from Ride for Gary regarding his concerns, the request to hold the bicycle ride on August 4th, was tabled until a later date, when his questions will have been answered, and he feels it is safe.

Suez Water - Request for preference location for water hydrant

The Township received a letter from Suez Water asking the Township if they had a preference for a water hydrant location for the water extension line behind Turkey Hill to Ecumenical Enterprises new nursing home site. Road Master M. Barry said he is not sure if the line is definitely going to be put in, but that Ecumenical Enterprises had requested the water line and the hydrant. They have asked if the Township will adopt and pay for the hydrant like we do for other hydrants on streets, after the line is put through. We are at an early stage, where they are only asking if the Township has a preference for the hydrant location.

Donation request for library sign

Supervisor W. Grant said the Dallas Lions Club had made a request for a donation to go towards the Back Mountain Memorial Library's new sign. The Lions Club is taking donations and paying for the library sign. Motion was made by Supervisor F. Wagner to donate \$300.00 towards the library's new sign. Motion was seconded by Supervisor W. Grant and carried.

Donations for Township Manager Panel

Supervisor F. Wagner said he would also like to make a Motion to give the two Back Mountain area men on the Township Manager panel \$100.00 each for the time and effort they had spent in making a recommendation to the Board. Motion was seconded by Supervisor R. Wagner and carried.

NPDES

Township Engineer representative, Tom Doughton, stated NPDES stands for National Pollutant Discharge Elimination System. Mr. Doughton said we are the only community in the Back Mountain that has an NPDES Permit. It is an extensive undertaking to get that permit. We are up for renewal next year. The NPDES Permit is part of the MS4 responsibility. He believes we need to talk to DAMA to find out who is responsible for doing it. Mr. Doughton said he would like the Supervisors permission to further investigate the situation and call various towns, especially down in the valley to see who is responsible for doing the permit. The permit is for discharging storm water into the waterways. We need to find out what DAMA is doing and what they are not doing. It was part of his impression that when you take on the MS4, the NPDES Permit would also be taken on. He said you probably are talking ten to fifteen thousand dollars for an engineer to put the permit together. It is a significant amount of work. The Permit comes up for renewal every five years. If DAMA takes the NPDES Permits on, the costs to do it would fall on them. Next year DAMA will charge each homeowner between three and five dollars to fund the MS4, which is federally

mandated. Supervisor W. Grant asked why the Township would have the permit when neither Dallas Borough or Kingston Township have one. Mr. Doughton replied that it is something we need to find out. The Supervisors were in agreement to give Mr. Doughton permission to find out what he could.

Amendment to Ordinance #2006-6, Chapter 85, Article IV- Stopping, Standing, and Parking

Police Chief D. Higgins said the Ordinance Amendment is really a new ordinance for parking. Some changes were needed because the existing ordinance had some flaws in it. The Amendment includes prohibited parking on some streets and updating on certain roads. Road Master M. Barry said the biggest change that is being made had been requested by homeowners in regards to winter parking. There used to be no parking from 6 to 6, even if the weather wasn't bad. After looking at what other Townships had in their Ordinance, we found many had changed their winter parking ordinance to a snow removal ordinance. With the rewrite of our Ordinance, if it is snowing, and 8 hours afterwards, even if the cart way is not clear, there will be no parking permitted on the road. That will cut down a lot of the days when you really shouldn't be parking on the road. Some of the older streets have 3, 4, or even 5 cars parked in a single car driveway. They need to park on the road. So as long as cars are off the roadway while snow removal is in effect, we'll be doing just fine. We also have a lot of no outlet streets with very limited turn around space. We put a list together of the streets where no parking will be permitted in the turn around. Narrow streets that intersect with other state and county roadways where there are stop signs either have no parking on either side of the street or will be permitted to park on only one side of the street. Supervisor F. Wagner made a Motion to advertise the Amendment to the Ordinance with the intent to enact it at the Supervisors Meeting in July. Motion was seconded by Supervisor W. Grant and carried.

Resolution for Police Secretary to be able to get a debit card for the Police Department

Supervisor W. Grant stated that Luzerne Bank is requesting a Resolution from the Township whereby permission is given by the Board of Supervisors for Police Secretary, Susan Maloney, to apply and obtain a debit card on behalf of the Police Department to use for supply orders and for conference travel making arrangements attended by the Police Officers. Purchases will be debited from the Township's General Checking Fund Account. Any purchases made with the debit card would be required to be conveyed to the Township Treasurer the same day as the purchase. The Township Treasurer will also be required to monitor the said account purchases and pay such proper charges as they fall due. Supervisor W. Grant made the Motion to approve Resolution #2018-11 that would permit the purchase of a debit card by Police Secretary, Susan Maloney, to be used for the Police Department on behalf of the Township. Motion was seconded by Supervisor F. Wagner and carried.

Police Department Update

Police Chief Higgins said he would just like to remind residents to lock their cars. We have had a series of people going in and taking things from parked cars in residents' driveways parked by their homes. All things taken have been from cars that weren't locked - particularly on Upper and Lower Demunds' Roads. Valuables should not be left in cars. Some tools but mostly money has been taken. The Police are working on the case and think they know who it is. With time, he is sure the Police will catch them. Anyone seeing or hearing any suspicious activity during night time hours are asked to call 911, not the Police Department. The Police know what to look for and are on the alert.

Road Department Update

Road Master M. Barry said the department has been busy street sweeping and cleaning storm water and infra-structure. The rainy weather has put them about two weeks behind. They have been dealing with rain flooding issues. Two of the Township's streets were under water for a significant amount of time that forced them to rebuild the lane on Goodrich Road. The department has also been doing some pot hole patching. Some of the streets that they planned to pave this summer are going to have to be put on hold so they can work on the major water problems that have developed. With storm water and MS4, some of the flooding problems that have occurred over the past few weeks were brought on by residents in the

developments. We are going to be doing some educational training for residents. When residents cut grass and some of it goes on the roadway, it builds up in the swales and storm water trails. That blocks the drains and storm basin covers. Part of the Clean Water Act with MS4 that is being talked about, the grass and fertilizer being broadcasted there is putting nutrients into the streams, which then gets carried down into the Chesapeake. Now that DAMA has taken over the MS4 requirement, it has been brought up that a storm water fee for residents will be started in January. DAMA's website, mailers, and presentations for the public will give you an idea on what we need to do as a community.

Turning Traffic signals at Route 309 Project

Supervisor F. Wagner said they had a Meeting at the EMA building with PenDot and Senator Baker's office regarding the PenDot Route 309 project not having any green left hand turns on Route 309. It is on the map that there will be one coming down 309 to go to Hildebrandt and one coming up 309 to go on Center Street. Somehow it got deleted. Road Master Barry said there are turning lanes there but it was brought up that PenDot will not be putting the traffic signal there with the arrow to control traffic in a uniform matter. Between the Township's Police Department and the fire departments going to Senator Baker's office and making that request, we are hoping they can get those lines in the ground and do the lights before the final paving is done. Also, Hildebrandt Road tentatively is going to be closed for the month of July into the first week of August to replace the pipe culvert. Between that and finishing up the work here, there are going to be some detour routes set up between all the state roads.

Amendment to DAMA's Articles of Incorporation

Attorney Brennan stated Attorney Ben Jones had given us a resolution that DAMA needs us to enact so that they can comply with the requirements of the Municipal Planning Code. They will add to their Articles of Incorporation to engage in the collection, transportation, and disposal of garbage, solid waste, and recyclable materials in the municipalities to which it serves, and to engage in the implementation and operation of municipal programs for the composting of yard waste. Attorney Brennan said he believes they are already doing it, but they just need to incorporate it into their Articles of Incorporation. Supervisor F. Wagner made a Motion to adopt Resolution #2018-10 that will amend DAMA's Articles of Incorporation with the other municipalities it serves. Motion was seconded by Supervisor W. Grant and carried.

Amendment to Zoning Ordinance

Supervisor W. Grant asked Attorney Brennan where we are with the Comprehensive Plan. Attorney Brennan said he was not working on the Comprehensive Plan, but rather the Amendment to the Zoning Ordinance. He said he had sent the Supervisors a list of the issues the Zoning Ordinance has about three weeks ago. He said he is waiting on the Supervisors to tell him what they want to do preliminarily as an amendment to the Zoning Ordinance. When he is made aware of that, the amendment will be sent to both the Planning Commission and the County for their reviews. After that, there will be a public hearing. The questions are very narrow, but he needs to have a starting place. It'll follow with us listening to what the Planning Commission, the County, and the public have to say before the Supervisors make their decision on adopting it. Attorney Brennan said part of the process is for us to look at the map. Now that the Hildebrandt parcel is in the Township, it is not subject to anything right now. Whatever parcel or zoning you want it in, we're okay with having the Township building there, because we have already established the use. He asked the Supervisors to review the map. Once he knows what they want, he wants to work with Jack Varaly to have the map reflect what the Supervisors want to say to everybody for review.

Citizens Comments

Jeff Dreier

Mr. Dreier said he was present at tonight's Meeting to request an onsite Meeting of a driveway that is part of part of Pizza Paul's fireworks store, to go over his complaint and disagreement of the issuance of the driveway permit. He has requested meetings before with Road Master M. Barry and Zoning Officer/Code Enforcement Officer, C. Alber, but has never been there when they actually visited. Supervisor W. Grant asked when T. Doughton, M. Barry, and C. Alber might all be available to meet. T. Doughton said he and M. Barry have been there twice already and he knew that C. Alber had been there a few times all well. He said he rejected Pizza Paul's storm water application back in March, and hasn't heard or received a resubmission from Pizza Paul since. Mr. Doughton said the Luzerne County Conservation District has been there for earth disturbance. After discussing some dates and times, it was decided that they would meet Monday, June 18th at 1:00P.M.

Clarence Michaels

Mr. Michaels asked if Representative Boback had moved into her side of the new Administration building and inquired if she was now paying rent. He asked what will be happening now to the rest of the building - Is it being brought up to date or are we going to be moving there? Supervisor W. Grant said the Township's Administration Department will be moving next Friday. They met with the architects today and reviewed all the plans for the basement renovation. T. Doughton has been working with Luzerne County Community Development to see about obtaining an OCD grant to have some ADA enhancements done in the building. This would include the addition of toilets, grab bars, and other things that have been estimated to be approximately fifty thousand dollars. A handicapped elevator estimated to cost approximately seventy two thousand dollars was also put in the application. So, we are looking at maybe getting around one hundred twenty thousand dollars from the grant. Because some of the money used for the Police Department renovation will be OCD grant money, the project needs to be bid differently. Somewhere around the third week of June, the documents will be given to both the Supervisors and the County to review. The project will likely go out for bid in early July and, hopefully, the constructions and renovations will begin in August. The Police are continuing to work on obtaining some grants. Mr. Michaels also questioned what PennDot is putting at the end of Upper Demunds Road near Route 309 where they have been digging. T. Doughton said they will be planting grass there, as you will no longer get out to Hildebrandt Road from Upper Demunds Road.

Alan Pugh

Mr. Pugh said the Christmas tree stand, given to the Township by Mr. and Mrs. Randy Mark, is still standing inside the ground on the school field where the Township had its first Christmas tree lighting ceremony last year. He asked if the Township was going to hold another tree lighting ceremony this year. Supervisor W. Grant it was a huge success last year. The Road Department will pull the stand out in the upcoming days and we will store it at the Township building, as we are definitely planning to hold it again this year. Mr. Pugh said there is still temporary power service there. The school has okayed putting a pole in, where the service could then become permanent. If the Supervisors are willing to install a pole, he could provide one from the County Fairgrounds. Supervisor Wagner said we will do it sometime before December, but will leave it temporary for the time being. Mr. Pugh also inquired if the MS4 fee coming from DAMA will be for the people who receive trash and sewer bills. T. Doughton responded that every homeowner in the Township would be required to pay a fee. It is federally mandated. Municipal storm water is much like sewage. You have to plan on how you are going to handle it, you must clear up pollutants, and you are required to monitor all discharges. To implement the program, DAMA has taken it

on. Fees are to be based on the impervious areas on a property. Right now it is being calculated that the fee could run between four and five dollars per homeowner, but nothing is set in stone. As of January, they need to start assessing a fee that will cover the cost for implementing the best storm water practices that will enable credits towards a DEP or DPA audit that a municipality may occur. It wouldn't be fair for all homeowners to pay the same fee, as each homeowner has a different amount of storm water discharges.

Dan Jones

Resident Dan Jones said that the Township paved Haddonfield Hills several years ago, and had done a great job. They had put a special curb in front of his house. Over the last couple of years, gutters have gone away. The gutter itself has collapsed and he now has all the rainwater coming down the street into his sidewalk, leaving a huge pile of gravel there. He asked if the Township can't do something with paving there like they did the last time or if they could trench it out a bit and try to send the water down the road. Road Master M. Barry said if the blacktop has deteriorated and broken up, the Road Department can replace it. Supervisor F. Wagner said the Road Department has had many water problems they have been dealing with. We haven't even started blacktopping yet. Dirt roads were to be done first, but there are so many water problems. Upper Demunds Road has three drains blocked which has caused one home to be flooded. PennDOT and Dallas Township are going to work together on this. PennDOT will replace the failing pipe on Upper Demunds next Wednesday after which the Township will redirect water and connect into the pipe afterwards. Crabby's on Lower Demunds has had its basement flooded. They say the storm water is coming is coming from Ryman Road. We have to mill it and do something different. Mr. Jones said he is not asking for asphalt, he's just looking for a trench in front of his walkway, so water will continue down the road. Whatever the Township can do, he would appreciate.

Brenda Pugh

Mrs. Pugh asked where Hildebrandt Road is being closed. T. Doughton replied it is being closed by Vanhorns' red barn.

Tax Collector, Holly Daubert

Mrs. Daubert asked if the next Township Meeting would be held at the new location. Supervisor W. Grant said that's a good point. The Meeting, including the Harvest Festival Meeting scheduled for June 21st will be held at the next Meeting. We will advertise it in the newspapers.

A **Township resident** stated she had spoken to Supervisor F. Wagner a few days ago regarding the fireworks being set off on Dorchester Drive. She said they are being put off all different times of the day and way into the night. The noise is so loud. The fireworks are being set off so close to homes that the homes actually shake. Streets are blocked with cars on both sides of the road. Garbage is left everywhere. Supervisor F. Wagner said the Township suffered a low blow from the State. All Township ordinances have been superseded by the State. The State now permits fire walks anywhere. The only control over them the Township now has is to forbid them after 11:00P.M. He suggested they contact Senator Lisa Baker. Another resident stated they are being set off only about two hundred fifty feet away from a gas station around two or three o'clock in the morning. He said they had called the Township over the years about them, but nothing was ever done to curb it. The person setting them now is untouchable and feels he can do it whenever he wants. It's fantastic if you live around there. Police Chief Higgins said the problem with the law is that you have to get the guy that pushes the button and lights the match. There can be four guys there and not one will admit to setting them off. A lot of the complaints are a zoning code violation. If the fireworks are being set off after 11:00P.M., the police will go and check on it. Chief Higgins

said he will reach out to the fireworks owner tomorrow and tell him to knock it off. But there are no guarantees. He will try to talk to him civilly.

Clarence Michaels

Mr. Michaels asked if, with all the hiring the Township is doing, the accounting records are available for residents to view to see no additional money is being spent than originally had been planned. Supervisor W. Grant said he would have a breakdown of it for everyone at the next Meeting.

There being no additional comments, Supervisor W. Wagner made a **Motion to adjourn the Meeting.** Motion was seconded by Supervisor R. Wagner and carried. The Meeting ended at 8:10P.M.

Respectfully submitted,

Nancy Y. Balutis, Secretary-Treasurer