

The Dallas Township Board of Supervisors held their monthly meeting on Tuesday, March 6th, 2018 at 7:00P.M. in the Municipal Building located at 2919 SR 309 Highway, Luzerne County, Pennsylvania. The following elected and appointed officials were present: Supervisors: Frank E. Wagner, Chairman, William J. Grant, Vice-Chairman, and 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; Planning Commission/Zoning Hearing Board Secretary: Tammy Miller; and Secretary-Treasurer: Nancy Y. Balutis.

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

Supervisor F. Wagner stated that there were no employee reimbursement requests made for the previous year's expenses since our last meeting. 2018 Employee healthcare reimbursements requests obtained for care received since our last meeting totaled \$670.52. This brings the total 2018 healthcare reimbursements to date to \$2250.00. Supervisor F. Wagner made a **Motion to approve the healthcare reimbursements** requested by employees since our last meeting. Motion was seconded by Supervisor W. Grant and carried.

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

A public hearing was held earlier this evening at 6:15P.M. to discuss the request for a **Conditional Use** by the **Fellowship Church** located on Hildebrandt Road, Dallas Township. The Fellowship Church Engineer, Keith Miller, was present to address any concerns or questions Township residents might have. Supervisor F. Wagner made a Motion to approve the conditional use requested by the Fellowship Church. Motion was seconded by Supervisor W. Grant and carried.

Motion was made by Supervisor F. Wagner and seconded by Supervisor R. Wagner to take a vote on approving the **USDA Loan Resolution** for authorizing and providing for the incurrence of indebtedness for the purchase of the new existing City Hall Building. Attorney Brennan asked each Supervisor individually for their vote. Supervisor F. Wagner replied he voted "Yes" to approving the USDA Loan Resolution for the incurrence of indebtedness for the purchase of the new existing City Hall Building. Supervisor R. Wagner stated he, too, voted "Yes". Attorney Brennan stated that since there was a majority vote of the Supervisors, he would ask Supervisor W. Grant for his vote on approving the USDA Loan Resolution for the incurrence of indebtedness for the purchase of the new existing City Hall Building. Supervisor W. Grant stated he, too, voted "Yes". Thus the vote being unanimous for approving the USDA Loan Resolution, motion was carried and the resolution was signed by all three supervisors.

Attorney T. Brennan stated Brian Kostelansky, from A Steven & Lee/Griffen Co. was present to explain an ordinance that is required by State law in order to be able to obtain a USDA Loan. It is a very long and detailed ordinance that contains all the provisions you need to cover under the local government indebtedness act which contains the mechanic of the attachment of how you can borrow the money. Basically it is a State law on how you are able to borrow the one million dollar USDA loan. He explained the timing on this. If the Ordinance were to be approved by the Supervisors this evening, a second ad will go in the paper that states it has been adopted. The final paperwork along with the proof of publication is sent to the State. They have about thirty days to review it. Once they receive the State's

approval, they are able to close. The USDA takes a little longer to go through their documents and obtain state approval. Right now, the State is looking at closing on April 27th. That is the amortization schedule and start date they have given. It can go a day or two either way. But right now, this is a schedule that given to follow. After tonight, they will start on the closing documents, so that when the USDA is ready, if they are able to speed it up a little bit, everything will be ready. Attorney Brennan questioned if there was any underwriter or expenses. He asked for verification that it was a direct loan from the Department of Agriculture to the Township. Mr. Kostelansky replied that he was correct. There is not a bank involved or an underwriter. The USDA wants it to be a bond – but, traditionally you see municipal bonds with underwriters, but that is just the terminology they like to use. It is a direct loan from the government to the Township. Supervisor W. Grant stated when looking at the bond, he did not see an interest rate. Mr. Kostelansky said it is on the amortization schedule they have provided. It is a 3.375% fixed loan, which was in the letter of conditions we received from them, probably about a year ago. It is a 35 year term at 3.375%, and is a monthly payment. Attorney Brennan stated the USDA wants everything to be agreed upon unanimously. He asked Supervisor F. Wagner if he would like to make a motion to vote on **Ordinance 2018-2 that would set forth the Township's intent to issue its general obligation bond, Series of 2018, in the maximum principal amount of one million dollars pursuant to the act of the General Assembly of the Commonwealth of PA, 53 PA.C.S. Chapters 80-82 as amended, reenacted, and supplemented.** Supervisor F. Wagner said he would like to make the Motion to take a vote. This was seconded by Supervisor R. Wagner. Attorney Brennan asked each Supervisor individually to make their vote known. Supervisor F. Wagner stated he voted “Yes” to approve Ordinance #2018-2 that will set forth the Township’s intent to issue its general obligation bond, Series of 2018, in the maximum principal amount of one million dollars pursuant to the act of the General Assembly of the Commonwealth of PA, 53 PA.C.S. Chapters 80-82 as amended, reenacted, and supplemented. Supervisors R. Wagner stated he also voted “Yes”. Attorney Brennan said that since there was a vote by the majority of the Supervisors, he would ask Supervisor W. Grant for his vote on approving Ordinance #2018-2 that would set forth the Township’s intent to issue its general obligation bond, Series of 2018, in the maximum principal amount of one million dollars pursuant to the act of the General Assembly of the Commonwealth of PA, 53PA.C.S. Chapters 80-82 as amended, reenacted, and supplemented. Supervisor W. Grant said he, too, voted “Yes”. Attorney Brennan stated that with the unanimous vote, it becomes the law of the Township by virtue of fulfilling the requirements of the USDA until we can get the financing.

Supervisor W. Grant stated he had requested that the approval of the architects for the building be added to the agenda. Initially, we hired Williams Kinsman Lewis Architecture to do a preliminary review of the building along with our police force to find out exactly what we had in our first floor area. They have worked with the policemen over the last couple of months. They came in last week and we finalized what we’re planning at the building. The next step is for us to get a set of construction and architectural drawings for the building. He said he spoke to Tom and they consider Williams Kinsman Lewis Architecture to be a professional service. Since they were the original architects of the building and they worked well with the police and listened to what they wanted, he said he is asking for permission to enter into a contract with Williams Kinsman Lewis Architecture for full architectural drawings. The cost of it is \$27,200.00. He said it had been budgeted. Attorney Brennan stated we don’t have to put it out for bidding, since it is a professional service and for all the reasons Supervisor W. Grant had just said. Supervisor W. Grant said he would like to make a **Motion to appoint Williams**

Kinsman Lewis Architecture to do the full architectural drawings for the building located at 105 Lt. Michael Cleary Drive. Supervisor F. Wagner seconded the motion, and motion was carried.

Opening of **Contracted Paving Bids.** Supervisor F. Wagner said 6 bids had been submitted and were as follows:

Bidder	Certified check or Bid bond in the amount of 10% of the bid	Troutbrook Drive, Rice Drive and Rice Court Base Bid	Windsor Drive Base Bid
American Asphalt Paving Co.	Yes	\$149,123.35	\$65,896.90
New Enterprise Stone & Lime Co.	Yes	\$170,709.00	\$87,999.45
Pennsy Supply	Yes	\$150,047.22	\$72,662.12
Popple Construction, Inc.	Yes	\$213,878.50	\$106,490.10
Stell Enterprises Inc.	Yes	\$180,071.10	\$90,163.60
Wayco, Inc.	Yes	\$175,868.42	\$86,375.15

Township Engineer Representative, Thomas Doughton, said he will review and verify the proposals received during the meeting, and should probably have the results by the end of the Meeting.

Opening of **Waste Container Bids for Spring Clean-Up.** Supervisor F. Wagner said 3 bids had been submitted and were as follows:

Bidder	bid bond or certified Check (10% of bid)	Price of each Container	Total price for 25 Waste Containers
Solid Waste Services, Inc. d/b/a J.P. Mascaro & Sons	Yes	\$600.00	\$15,000.00
Stell Enterprise Inc.	Yes	\$557.00	\$13,925.00
Waste Reduction, Recycling & Transfer	Certified Check	\$525.00	\$13,125.00

Pending the review and verification of the proposals received, the waste containers required for Spring Clean-Up will be awarded to the lowest bidder - Waste Reduction, Recycling, & Transfer for a price of \$525.00 per waste container. Road Master M. Barry said he would review the bids. Results of proposals received will be sent to all bidders. Instructions will be provided to Waste Reduction, Recycling & Transfer that we are requesting a minimum of 3 waste containers to be at the Township site by Wednesday, May 2nd, 2018. At all times during spring clean-up, a minimum of 5 waste containers are to be at the Township site for disposal purposes.

Contractors Registration Ordinance: Zoning Officer, Carl Alber, stated that some Township homeowners had been taken by contractors last year. He feels it would be a good idea to register them. There need not be a fee for the registration, but if they fail to register, there should be a fine and citation issued to go to the Magistrate. We had one resident taken for \$10,000.00 last year for a paving of a driveway that's not going to last six months. Supervisor F. Wagner said and another one for three. Mr. Alber said he feels all contractors should be registered. Some Township residents paid for jobs the contractors failed to do. He said the State no longer allows you to charge a fee for registration. Because of the incidents that have occurred, he said he would like to see an Ordinance for contractors. Attorney Brennan asked him if he had a proposed ordinance or form. He replied he did. Attorney Brennan asked if the quality of work would also be included. Mr. Alber replied it would only require them to register. In doing that, they would need to provide proof of insurance and if they are a home improvement contractor, they would have to show their license from the State. Supervisor F. Wagner said he feels it would be a good thing. Residents could call us to see if someone is a registered contractor. If they are not, it may send out a signal. Contractors would only be responsible to come to the Township to register. Attorney Brennan said if the Supervisors agreed, he would look at the sample ordinance Carl has, and will prepare a draft of one for our next Supervisors meeting. We could have it in place by May. Supervisor W. Grant asked if this would also be required of local contractors. Mr. Alber replied no. Supervisor Grant said he feels, whether it's on our web site or somewhere, we need to get notice out there to our residents that they should first contact Carl to check to see if someone is a registered contractor in Dallas, prior to signing any contracts. That's the only way we are going to be able to stop someone from stealing from our local residents.

Rob Friedman – Holding tanks. Mr. Friedman said he is moving right along on his project and all the permits he has gotten through land development. He said they are doing a lot of work there to complete everything on time, as his wedding season is coming up. One of his biggest problems he is experiencing problems with is his septic system. He said, unfortunately, Transco is putting their pipe line through so he is unable to complete his access road and he needs the line to get to his draining field. He said he is asking if he could use his big septic tank temporarily and get it pumped out. He said he called Tom Doughton about it and was told that it was DAMA's call, not the Township's. So he brought Larry Spaciano here to the meeting with him tonight. Larry said there is a provision in the regulation Title 25, Chapter 73-11 that allows you to use a septic tank as a temporary holding tank while you are constructing an absorption area. However, he has documentation he received from Rob that he would like to first go over with the Supervisors because there are some stipulations that need to be met before you can do that. Even though you look at the regulation verbatim, even though it is a septic tank, the regulation specifically says that you will be using a septic tank as a temporary holding tank. A permit for a holding tank is not typically issued by a sewer official officer because it is a municipality's decision. If a municipality has an ordinance that prohibits a holding tank, then that SEO is restricted as to what he can do. But if you are actively constructing the bed, then there is a provision. Normally it is aimed at residential units when you have complete access to an absorption area, where in this case with Rob, there is a problem. You have to cross the pipe line with a road, then you have to go under that road across that pipe line to get the line up to the top because where the Beaumont Inn is, the absorption area is about a thousand feet up on the top of the mountain. So that will involve two septic tanks, a pump tank, and a dose tank at the top of the mountain that will ultimately dose the bed itself. So, he has the documentation Mr. Friedman provided, and he would like to go over that with the Supervisors so that they can understand exactly what we have here. Supervisor W. Grant asked Rob for clarification if the issue was the pipe line that had actually held him up. Rob replied that it was – it wasn't his contractor who held the project up. He would have been able to complete the job on time. Supervisor W. Grant said he had spoken to Tom Doughton today regarding us actually having assurances from the

pipe line that they were going to allow Rob to do that after the fact. He asked Mr. Friedman that by chance if the Supervisors were to grant him the temporary holding tank in anticipation of him completing the project, do we actually have the pipe line's assurance that they are going to let you back in to finish what you have to do or will you have to come back to us? Rob replied that he had spoken himself to Transco and actually gave Larry written documentation of their talk. Larry stated he had asked Rob to provide him with a copy of the contract between the Beaumont Inn and Transco to cross the pipe line and get that road up there. He said he also asked for a copy of the contractor agreement between Dickson Excavating and the Beaumont that says both the entire system and road will be installed. He said he received that, too. There are a couple of caveats in the Transco. One says that final approval to put that line in has to be reviewed and approved by their engineer before that line can be put in. That will be one additional document they will be looking at before they can consider that type of arrangement where they could use those two tanks. Supervisor W. Grant asked how long Rob thought the holding tanks will be in place before he would be able to do the work. Rob replied he had spoken with Transco and they are saying the tanks should be buried in approximately a month. It is the best time they could give him because of the weather. He said he is hoping to utilize these tanks temporarily probably 60 to 90 days at the most, being on the conservative side, because they are saying they should be buried in a month and then Bill Dickson will be able to finish that section of the septic system in about two weeks. Supervisor W. Grant asked Larry if DAMA would be inspecting these holding tanks to make sure they are being pumped out on a regular basis. Larry said the final document he requested was from the pumping hauler, Draintech. What Rob would have to do is set up a pumping schedule with Draintech that says they are going to inspect those periodically. They will also have to install a high water alarm so that when that tank is three quarters full, an alarm trips off letting you know that that the tank has to be pumped. It has to be an audible and visible alarm. Larry said he also mentioned to Rob that sometimes a municipality requires an escrow account to be set up with them. That is just a safe guard for the municipality. But there are several caveats that have to be met before they could do that. Typically, a permit has already been issued for the construction of the bed. As an additional perfect condition for that, it is stipulated that none of the buildings can be connected to the tank until the access road or installation of the sand mount had been completed. Rob said that now with the Transco thing, that's what's holding that up. Supervisor W. Grant asked Rob if he had a problem with setting up an account with the Township whereby, if the pumping was not done, the Township would be able to draw on the escrow account to have it done. He said he doesn't expect it to be that significant. Rob replied that if the Township requires it, he will have no problem with it. Supervisor F. Wagner asked Rob if he planned on going under or over the pipe line. Rob replied they would be going over the pipe line. He said the pipe line is going to be pretty deep in that area. It has to be a minimum of four feet, but they said it was going to be a lot deeper than that. Rob said he is going to go over the pipe line because they will be forty eight inches. Larry said they are putting a two inch pressure line in. Supervisor W. Grant said he had spoken to Tom Doughton about this today – the responsibility that if anything were to happen, for example - like the tank's alarm not going off, causing an overflow, where there's a high quality water stream, that spills right next to the property – Would we need to get an agreement saying who would be responsible for the fact that there is an overflow? Attorney Brennan replied that it would be the responsibility of the Beaumont because it would be their facility. Attorney Brennan asked Rob if he knew if his insurance plan would cover something like that. Rob said he did not know right off the top of his head. Attorney Brennan said that although the incident would be highly remote, it probably would be good for there to be an agreement between the Township and the Beaumont that would state if there was an environmental problem, it would be the responsibility of Beaumont to mediate it to the satisfaction of the accompanying bodies. He said that Rob should also have the Township listed as an additional insured with respect to any problem. Supervisor W. Grant asked Larry if he felt that that was something that should be in place. Larry

responded that he thought it would be a good thing to have, or it's at least something we should take a look at. Rob asked how the Township normally handles things like this. Attorney Brennan said we normally do not permit holding tanks in the Township. Larry said that this type of permit modification for the use of a septic tank as a temporarily holding tank is strictly a short term remedy until the bed can be constructed. The key element here is that the bed has to be constructed. It cannot remain a holding tank. If the original permit was modified say for thirty or sixty days, at the end of that 30 or 60 day window if the bed was not complete, Rob would have to go back to the municipality where the Supervisors would have to look at modifying his permit at either granting an extension or revoking the permit, which would shut down everything until that gets constructed. Attorney Brennan asked Larry who has the responsibility to monitor this – is it DAMA or is it the Township? Larry answered that Act 537 says it strictly falls back on the municipality. DAMA acts as an agent for each municipality but each municipality is responsible for Act 537. With that being said, you would have a contractual obligation between the hauler and the Beaumont and have an alarm system there. Larry said typically, he thinks they would be looking at using just one of the tanks there. Each tank is 3500 gallons. You would have two separate 3500 gallon tanks going into a pump station that pumps it to the top. So if you use one of those 3500 gallon tanks, which would be the tank that would have the alarm on it, it will still be connected to the second tank. If by chance, for some reason, they would be unable to get there to pump it for a day or so, you would still have a 3500 gallon capacity to use. Attorney Brennan said he had a few questions. He said Larry started off by saying "Unless the Township has an ordinance that precludes temporary holding tanks" - do we have such an ordinance? The Supervisors responded that we don't have such an ordinance. Secondly, because the Township relies on DAMA and particularly Larry, for the things he has outlined here, does he have a recommendation for the Supervisors? Larry said he thinks, upon review of the documentation he provides to the Supervisors that Rob has given him, he doesn't see a major problem, providing all of the caveats are met and we have written proof from Transco's engineer that says, yes, this is going to happen and not that it isn't going to happen. Even though Transco is saying yes, you can use the access road as a right of way as a cross on the surface, we still will need to make sure we can get that subsurface pipe installed. Attorney Brennan asked Mr. Monk if it would be difficult to get approval from Transco's engineer ahead of time that the line was going to be allowed to be put in. Mr. Monk responded that he already has a verbal approval. Larry said they need to review the final plans. Supervisor W. Grant asked Mr. Monk that from the time that the pipe line company issues a cross over, how long will it take to construct the final system? Mr. Monk replied, weather permitting, it will take between 2 or 3 weeks. We're only looking for the pumping to begin April 15th because that is the day of the first event. Rob said he needs to know ahead - he can't wait until a day or two before the wedding. Attorney Brennan said he is not in a position where he is able to dictate a decision at this time, but he feels he has an outline for the agreement from which we have heard. He asked the Supervisors, if, subsequent to looking at the final documents, they would like him to draw up a document with Rob and Mr. Monk, so they can put something together to address this. Attorney Brennan asked Mr. Doughton and Mr. Alber if there was anything they wanted to add to the discussion. Mr. Doughton said no, as long as Larry is comfortable with it. He said the Planning Commission has already reviewed the mechanics of the onsite sewage disposal system. Attorney Brennan asked the Supervisors, if they were directing him to draw up a short document so that we have it in place. He said he would try to get it done as soon as possible, and its execution will be everything that was discussed here tonight. He said this way it can be executed without a formal meeting to adopt the agreement. He asked them if this was alright. All three Supervisors agreed he should prepare the agreement. Mr. Doughton asked Rob what the maximum count of people the Beaumont is able to hold for one given event. Mr. Friedman replied 299. Mr. Doughton asked what the projected flows are for a wedding. Larry responded he believes it was 3600 gpd. Mr. Doughton asked what would happen if during a wedding the tank gets full. How will it be addressed? Mr. Alber replied that if the calculations

are correct – if there is alcohol at the event, the alcohol flow is 12 gallons per person. So if you have 299 people in attendance, you're over 3500 gallons already. Attorney Brennan asked if he understood correctly that there would be two tanks. Mr. Dickson replied that there will be two more tanks past the tank so you will actually have 7000 gallons of overflow, and each tank goes into another. Mr. Doughton said that then it really is not only using one tank. Larry replied that that was correct. He said what he is saying is if you put the alarm on the first tank and it goes off, you are going to know to get those tanks pumped out, but you still have reserve capacity. Mr. Monk said there are two 3500 septic tanks and one 3500 transfer tank. So you have ten thousand five hundred gallons of storage. Mr. Monk said if the Supervisors would feel better having an additional alarm put on the second tank, it would be no problem. Attorney Brennan replied "Sure, why not." Mr. Friedman thanked the Supervisors for their time.

Authorization for Pennoni Associates, Inc. to apply for a highway occupancy permit for Yalick Road to be part of the Yalick Farms HOP requirements from PennDot: T. Doughton said that Yalick Road, through historical research, believe it or not, was one of the first roads in the Back Mountain, if not the first. It has never been permitted. When Yalick Farms was required to do a traffic study as part of the signalization, they had a rear entrance – so they had to do a traffic study on Yalick Road. Through that process, PennDot picked up that there was no highway occupancy permit. Dallas Township does not have a valid highway permit for Yalick Road where it meets SR 118, which is not unusual. However, since there was going to be an increase in traffic on Yalick Road, so substantially, PennDot is requiring them to get a highway occupancy permit. It, essentially, will be the Township's highway occupancy permit for that intersection. PennDot has been going around, especially on roads being paved, requiring Township roads that meet a state highway, to get highway occupancy permits to tie in. It is not that unusual. He would recommend it. There is no cost to the Township. Supervisor W. Grant made a Motion to authorize Pennoni Associates to apply for a highway occupancy permit for Yalick Road. Motion was seconded by Supervisor R. Wagner and carried.

2018 Dare Program Contribution: Kingston Township is asking Dallas Township for a \$2500.00 contribution to go towards their 2018 Dare Program: Supervisor F. Wagner said he votes 'No – they have never contributed towards our dog." Police Chief Higgins said they don't contribute towards our school resource officer either. Supervisor W. Grant said we stopped contributing to this four years ago, because of the dog. We now have added the school resource officer. Supervisor Grant said he agrees with Supervisor F. Wagner.

Dallas Borough's Summer Rec Program: Supervisor W. Grant said he received an email today from Tracey Carr. Dallas Borough is going to be eliminating their summer rec program for children beginning this year. Tracey has contacted Kingston Township. She suggested Supervisor Grant contact them as well to see if Dallas Township can jump on the log with their summer rec program. This was budgeted for. It would be the three Back Mountain municipalities that would be involved in this. So he is looking for approval from the other two supervisors to speak to Kathy Sebastian of Kingston Township, to see what the funding requirements are, and what they are looking for. We could then approve it at the next meeting. Supervisor F. Wagner said he was unsure. Supervisor Grant said we had about 31 Township residents use Dallas Borough's program last year. He said he is not looking to sign anything yet, but rather get information to see if they are charging per child or how. Supervisor F. Wagner said we should see what they are charging. Supervisor F. Wagner and Supervisor R. Wagner said they both were on board for Supervisor W. Grant to obtain the pricing and requirements.

Pizza Paul's Firework Store: Attorney Brennan said this has come up several times. At the last meeting, we asked Tom Doughton, Martin Barry, and Carl Alber to do an inspection of the property, which they did. He asked for a report on what they found. Tom Doughton said Pizza Paul does not own the property so he is not sure why they are dealing with Pizza Paul. Zoning Officer, C. Alber said the property is under contract. T. Doughton said they have to deal with the property owner. C. Alber said the property is in the estate of Charles Gordon. Secondly, T. Doughton said it does not qualify for a land development. The revised SALDO requires there to be over one acre of disturbance in order to qualify as a land development. That property is not in excess of an acre. However, that property is in excess of 20,000 square feet, which is the magic number for our storm water ordinance to kick in. He is definitely in violation of our 2011 storm water management ordinance, not filing a storm water management plan. As part of that, he is in violation of the Luzerne Conservation District because our storm water management plan at that level requires an approved erosion sedimentation control plan. Tom said he wanted to explain the difference – Under 20,000 square feet, you are required to have an erosion sedimentation control plan, but it does not have to be approved by the Conservation District. It has to be approved by the Township. Pizza Paul is in excess of 20,000 square feet. He must have an approved plan in order to get the storm water management plan submitted and approved by the Conservation District. It becomes a component of the storm water management plan. C. Alber said he had spoken to Charles Gordon's son last week that is in charge of the estate. The property is under contract with Pizza Paul to purchase. He said he dropped off a storm water application plan to Pizza Paul last week and he has contacted Heather at the Conservation District office to get that done. He has to pass it on to his engineer and get that paper work in. T. Doughton said they had looked at the driveway, based on Mr. Dreier's complaint. The driveway is in excess of 15 feet. The radius of the driveway is closer to 15 feet but that is in the municipality's right of way. It is not part of the distance. So, the radius can be inside the 15 feet. But the driveway is definitely more than 15 feet beyond the property line. Supervisor W. Grant asked if we knew they had used it to disturb more than 20,000 square feet when he came in for his application. Is this something we have to safeguard against before we issue permits? C. Alber said what happened was Pizza Paul came in front of the Zoning Hearing Board for a hearing for fireworks. It was approved back in March of 2017. The recommendation was that he put a driveway in, 'one way in' in the front, and "one way out" in the back, and have 8 places for parking cars. He was under the assumption he was going to put more parking spaces in the back. When he found out he was going to have a lot of hurdles to jump through to get that done, he decided instead to plant grass there, which he is permitted to do there. He fulfilled the zoning requirements for the driveway and the parking spots. After that hearing, there is a 30 day appeal process. If no one comes in during that 30 day period to appeal it, then it is automatically approved. So he met the zoning hearing board requirements. Since there has been earth disturbance in excess of 20,000 square feet, he will have to go through the storm water management act ordinance. Attorney Brennan asked for verification that Pizza Paul is not in violation of the driveway or zoning, but that he is in violation of the storm water management ordinance. He has to comply with the ordinance for both the Township and the Luzerne Conservation District. T. Doughton added that the Conservation District's approval must be submitted in order to get a storm water management application from the Township. In 1996 when the County and DEP forced the Toby Creek Watershed Ordinance on the Township, it became a very cumbersome thing. It was the recommendation of the Township's Engineer's office that the Planning Commission become the administrator of the storm water management ordinance because it went hand in hand with subdivision and land development. Pizza Paul will have to come in front of the Planning Commission and explain what he is doing. He will have to get approval for a Storm Water Maintenance plan, which is obtained from the Township Engineer's office, and a component of that is an erosion sedimentation control plan which must be stamped by a professional engineer and approved by the Conservation District because of him being in excess of 20,000 feet. Mr. Alber said he has been in contact with Heather from the

Luzerne Conservation District, and she said she has informed Pizza Paul exactly what needs to be done. Attorney Brennan stated then that he has the application to begin the process, and that nothing more can be done at this time. Mr. Alber replied that that was correct. Mr. Dreier asked if he could say something. He said that Pizza Paul is in violation of the ordinance that was stated this evening because there is a portion of that driveway that is within a 15 foot boundary of the adjoining property and it is stated right in the ordinance and you can't have that. Township Engineer Representative, Tom Doughton, stated they are not surveying the property out there – as they are not surveyors. Until Pizza Paul submits a plan we can't determine exactly where the property line is. However, there is a stake in the front. Without it being pinned or not having a physical drawing, it is virtually impossible to determine exactly the position of that line. Mr. Dreier said it was surveyed. In comparison of where the stones were at the last meeting there has been a repositioning of them and they are now in the Municipal right of way. He presented photos to the Supervisors to view. Attorney Brennan stated not to say that one of you is right and the other one is wrong, the task from the last meeting was for three people to go and take a look at it and then make a report up for the Supervisors. You have taken it further than the original question asked, and that is good. If you see something, you should say something. He said if he understands things correctly, Mr. Dreier is not satisfied with the first part; Mr. Doughton has said it is part of an estate and that the answer will be determined once a professional prepared drawing of the site is submitted. The Planning Commission will determine who is correct, but at this point we have addressed it the best we can. It will be addressed further by the Planning Commission, where a definite answer will be given. We are only able to estimate. Supervisor W. Grant asked how long Pizza Paul has to comply to the Conservation District. T. Doughton said he is already in violation, but that if he has an engineer, it will probably take about a week or two. Supervisor W. Grant said that currently the only thing we can do is to keep him from using the driveway. Zoning Officer, C. Alber, said he is able to use the driveway, because he has met all the zoning hearing requirements. Attorney Brennan said Pizza Paul is able to do whatever the Zoning Hearing Board said he could do, whether it was a variance or whatever it was, but it had something to do with the driveway. So the other things are two fold – one was he was in compliance with the Zoning Hearing Board in reference to the driveway, and the second thing being that the additional things that he is doing are in no way, shape, or form, things that have been authorized by C. Alber. It is that part that will need to be addressed. T. Doughton said this is a little different. The business was already operating. We cannot say that he won't be granted an occupational business certificate because the business was already operating prior to all this work being taken.

Police Department Update: Police Chief Doug Higgins said last week during the storm, they handled sixty two calls in about five or six hours, which is highly unheard of. They worked with Road Master, M. Barry, on another situation down in Fernbrook. He said the officers did a great job. Chief Higgins said they attended Open Records training and Right to Know training and found out that they can get rid of a lot of things. He said he has applied for a grant to help reduce the cost of new lockers for the new building, and that they should know something in about two months. He is also going to apply for a grant that will implement a neighborhood watch/business watch for here in the Township. Martin was kind enough to give him an estimate for signs so that they can put them at entrances at both ends of the roads. Martin also offered for the Road Department to put the signs up, free of charge for the Police Department. He said he has one more thing about the new hire that had been budgeted for in July. We have a younger guy that lives in Tunkhannock and has passed the background check. He has a major in criminal justice and a bachelor's degree in psychology. He's a smart kid. He needs to go through a few more things, like the psychiatric test, the physical, and a little more background. He is asking if it would be alright if we offered him a conditional employment here based on the outcome of his background check, psychiatric check, and physical training, which normally take about a month and a half. His

concern with him is he is presently working part time in Tunkhannock Borough but has been offered a full time job beginning in June. Chief Higgins said he really doesn't want to lose him. He's smart and wants to stay in one place. Supervisor W. Grant said he thinks it is difficult for us to find qualified applicants for the police over the last three years. It would move up our start date from July to a little sooner, but he recommends from a budget standpoint that we offer him the job. He asked Doug what the starting date would be. Doug replied at least April 1st. Supervisor F. Wagner said he leaves the decision up to Chief Higgins, as it is his department. Chief Higgins said they are not as busy in Tunkhannock as we are here in the Township. When we told him what all we do here, he was in awe. The Supervisors said he has authorization to hire him providing he passes all his tests. Chief Higgins asked what happens if his test results finish earlier that he would be able to start before three months. Supervisor W. Grant said that it would be fine, that they are giving Police Chief Higgins the approval to hire him, because the Supervisors normally don't do the police department hiring. He said if Chief Higgins would feel better, we could schedule a personnel meeting for it.

Road Department Update: Road Master M. Barry said since the last meeting, they have faced many issues – snow storms, rain storms, flooding, trees down, pot-hole patching... Unfortunately, the snow storms have really done significant road damage this year and it is going to change their construction season planned for this year. Some projects will have to be changed, due to budgetary limitations. Christmas tree pick-up is still ongoing. They have picked up 925 trees so far, and are 50 short of what they picked up last year. Homeowners are accepting responsibilities for some of the trees on their properties that are down from the storm. The Road Department is going to stop collecting for now, as they need to start to prepare for the next storm. First thing on his list for tonight that he would like to talk about is a budgeted item for 2018 - A truck chassis to replace one of their mini dumps for 2018.. Deadline to order is coming up shortly. He has found a 2018 Dodge Ram 5500 all-wheel drive, diesel. Price for the chassis on Co-stars is \$45,546.00. One thing to note is that the price we paid for our last one in 2016 is that it is only \$100.00 more. Secondly, we have spoken about this in the past, but never pursued it. This winter, particularly, they have been having trouble getting fuel, especially at night and during winter storms. He said he would like to join the Wex fuel card system through Co-Stars because every fuel station in Dallas Township participates in it now. Also, it is an advantage with people going out of town that need to get gas. Part of the Wex fuel is that they have provide for breakdowns - If you get a flat tire, it's covered under the card system, too. Talking with people that use it, the taxes are covered under it, and the price of gas is a few cents cheaper. So he is requesting the Supervisors permit them to be able to apply for the cards. Chief Higgins said he can contest to that, too. He's taken our present provider's service card down during the night to get gas, only to find it doesn't work (whether it's the pump or the card, he's not sure). He then has had to drive back to the station to get another card to use. It's hard to find a station opened up at 2:00 in the morning. Our only options now are Pen Fern, which is a card system or our account with Newells, which isn't opened up 24-7. Kunkle Fire Chief, Jack Dodson, said the fire company changed to the Wex system, and found it to be the best thing they ever did. They're saving money. They can tell you where the gas was purchased, which truck purchased it and also tell the truck's mileage. You get a rebate every year if you pay your bills on time. Security is better with these cards than the present cards being used. Supervisor F. Wagner said he is all for that. Road Master M. Barry said it will take a few weeks to get it up and working, but we'll begin the application process. Motion was made by Supervisor F. Wagner to apply for the Wex fuel card system. Motion was seconded by Supervisor W. Grant and carried. Road Master M. Barry said the last thing he wanted to discuss was the Township's LED upgrading. Last week we received a check in the amount of \$3971.16 for participating in the upgrading of our LED lighting. We have already begun to see a savings in our UGI billing, but he is going to compare the bills over the next six months to see just how much we're saving. He is hoping we can participate in the next LED round.

Township Manager Position: Supervisor W. Grant said we received 8 resumes for our advertised position for a Township Manager. We formed a 5 member panel, consisting of the 3 Supervisors, as well as retired Magistrate, James Tupper, and Attorney William Jones. Resumes were copied and sent to all the panel members, along with a road map on how to evaluate the individuals. He said maybe Monday or Tuesday the panel will discuss which candidates they feel they would like to interview.

Supervisor F. Wagner said that Josh Longmore, who works with the Luzerne Conservation District, has a 3 year old daughter who recently was diagnosed with cancer. Her year long treatment plan is very aggressive and will require travel and lodging in Danville and Philadelphia. The cost is overwhelming. Supervisor Wagner said he has done a lot of work over the years for Dallas Township. He has helped us obtain grants and has done a lot for our Road Department. He feels the Township employees should take up a collection for her and send it to the family. Supervisor W. Grant asked if he felt we should send a Township donation as well. He said we have an account in our township funds designated for hardships that he believes we budgeted \$500.00 for this year. We haven't used it every year. After some discussion of the amount that we should send, Supervisor F. Wagner made a Motion to donate \$400.00 from Township funds. Motion was seconded by Supervisor W. Grant and carried. We will still accept donations from Township employees which we will mail with it.

Township Engineer Representative, Tom Doughton, stated he had finished tabulating the bids we received for the **2018 paving project**. Lowest bidder was American Asphalt Paving Co. who total bid for paving and repairs to Rice Court, Rice Drive, Troutbrook Drive, and Windsor Drive was \$215,020.25. Mr. Doughton said he recommended we award American Asphalt Paving Co. to do the 2018 paving project for the Township. Supervisor W. Grant made a Motion to award American Asphalt Paving Co. the Township's paving and repair project for Rice Court, Rice Drive, Troutbrook Drive, and Windsor Drive. Motion was seconded by Supervisor F. Wagner and carried.

Citizens' Comments:

Former Supervisor, Elizabeth A. Martin, stated she had noticed that there had been no postings put on Facebook since she left in December, 2017. She said she would like to volunteer to maintain the Township's facebook page until someone is appointed to do the job. The Township has 2517 followers, and there is a lot of information that can be given to them by way of Facebook. Mrs. Martin said she can't step out of the Township's Facebook account because she was the one who created it. She said she could put information on Facebook from her cell phone or her home computer. She asked the Supervisors to consider it. Mrs. Martin said she had not put anything on the Township's Facebook site since leaving, and would not put anything on that shouldn't be put on. Supervisor W. Grant said he felt Facebook is a good communication tool. He asked the other Supervisors what they thought. He said any posting to be posted on the Township's Facebook site would need to be approved and signed off on by the three Supervisors prior to it being put on. Supervisor F. Wagner said it was alright with him for Mrs. Martin to do it until the Township gets someone, providing all three supervisors sign off first on the postings.

Mr. Dreier asked that he be notified ahead of time when the determination was going to be made between the distances of the property lines between his property and that of the estate of Charles Gordon, so that he can be present. Attorney Brennan said the Township's Planning Commission will be the ones that are able to give the decision after reviewing a professional's prepared plan of the site that

has yet to be turned in. He said the Planning Commissions are held the second Tuesday of the month at 7:00P.M. at the Township Building, and are always open to the public.

A resident who did not give his name or home address stated that on February 7th, 2018, during a snow storm, he witnessed a Township plow truck come to Mr. Wagner's house, and plow his driveway. He asked is there is a reason we're allocating our resources to do plow private driveways. His home security caught the incident on video. Road Master M. Barry asked which Wagner he was speaking about. The resident replied Supervisor Frank Wagner's house. It was a red Dallas Township truck. Supervisor F. Wagner stated he knew the incident he was speaking about. He said he had made a big pot of soup for the Road Department to have during their plowing, as no one else ever things of them. He called them and asked them to pick the soup up. He said his driveway was not cleaned at the time, because he wasn't going to go out while it was snowing.

Brenda Pugh, who had been in charge of the Christmas Tree Lighting in December, said the Christmas tree lights and decorations had been removed from the tree, by someone she had hired to do it. She said she realizes the Road Department is busy with the snow storms now, but asked when things settle down that they take the tree down and to store the tree stand, that had been made for the occasion by Pulverman's. She said it folds us, and that the Township Supervisors had said they had a spot to store it.

There being no further citizens' comments to address, Supervisor F. Wagner made a Motion to adjourn the Meeting. Motion was seconded by Supervisor W. Grant and carried. The Meeting adjourned at 8:25P.M.

Respectfully submitted,

Nancy Y. Balutis
Secretary-Treasurer