

A Meeting of the Dallas Township Board of Supervisors was held on Tuesday, September 4th, 2018 at 7:00P.M. In the Municipal Building located at 105 Lieutenant Michael Cleary Drive, Dallas, Luzerne County, Pennsylvania. The following people were present: Supervisor, Frank E. Wagner, Supervisor, William J. Grant, Supervisor, Robert J. Wagner, Solicitor, Attorney Thomas P. Brennan, Township Manager/Road Master, Martin K. Barry, Police Chief, Douglas J. Higgins, Zoning Officer/Code Enforcement Officer, Carl M. Alber, Planning Commission/Zoning Hearing Board Secretary, Tammy L. Miller, Township Engineer Representative, Thomas J. Doughton, Jr., and Township Secretary-Treasurer, Nancy Y. Balutis.

Following the Pledge of Allegiance, Supervisor R. Wagner made a Motion to Pay the Bills. Motion was seconded by Supervisor F. Wagner and carried.

Supervisor F. Wagner made a Motion to approve last month's employee health care reimbursements in the amount of \$750.00. Motion was seconded by Supervisor William J. Grant and carried. To date, the total amount of approved health care reimbursements for 2018 is \$5191.41.

Supervisor F. Wagner made a Motion to approve the Minutes from the August 7th Supervisors Meeting. Motion was seconded by Supervisor W. Grant and carried.

Parsons Lane Update request by Township resident Jeff Bolton.

The Dallas Township Kunkle Park, deeded to Dallas Township by _____, is located off of Parsons Lane in Dallas Township. Attorney Brennan said that various access easements have existed for many years in a lane located in Dallas Township, known as Parsons Lane. The present fee owners of the lands, encumbered or subject to the easements, entered into a Memorandum of Understanding with Dallas Township, whereby they agreed that it was in their best interest to have the easements terminated and to have Parsons Lane replaced by a new and better roadway that will be dedicated to Dallas Township and known as Parsons Lane Road. Supervisor F. Wagner said it took to almost the end of this summer to obtain all of the involved parties' signatures on the Memorandum of Agreement, but that all signatures needed have been obtained. Engineer Representative, T. Doughton, said we now have to sit down with Attorney Brennan to figure out how we are going to extinguish everyone's easements, so we can lay out the road. Attorney Brennan explained that everyone who had signed the Agreement had agreed, that in good faith, we were going to use our best interest the best we can to create a roadway that would be known as Parsons Lane Road, which will be dedicated and accepted by the Township as a Dallas Township roadway. That will involve the extinguishing of easements, liquidation to right-of-ways, public right-of ways and the storm water detention plan which will not only be good for the roadway, but good for the area generally. Engineer Representative, T. Doughton, added we will need to sit down with Randy Parry to go over a subdivision plan. Attorney Brennan stated no one is going to give anything up until everybody gives up. It is going to be one enormous agreement

that is going to be effective, and will require everyone to be bound by it. Engineering Rep, T. Doughton said Smith's would only agree to a 33 foot right-of-way. Since it is a minor street, PennDot will allow it. The Smiths would not go for a 50 foot right-of-way. It will be plenty wide to allow for a 20 foot cart way. Mr. Bolton said there is also shooting going on up there, and questioned if it is permitted. Police Chief D. Higgins said people hunt up in that area. Code Enforcement Officer, C. Alber said there is an ordinance that does not allow for shooting in a Township park. Police Chief, D. Higgins said if there is an ordinance for this, then it needs to be posted. Chief Higgins instructed Mr. Bolton to call 9-1-1 when any shooting is going on. Road Master, M. Barry, said he will get some signs made up and will post them. Engineer Rep, T. Doughton, said it would classify as a safety zone area, and instructed Mr. Barry to put safety zoning signs up.

Rob Friedman - Request for extension on temporary septic tank permit.

Mr. Friedman produced a letter from Bill Dickson, his excavator. The letter said the pipeline had been completed and back filled as of August 30th. Since then, he has been in contact with Sam King, Right of Way Agent for Universal Field Services, Inc. as to when they would be able to complete their septic system project at Beaumont Inn. He said when they receive the go ahead, he will need between 4 and 5 weeks to complete the project, weather permitting. Mr. King provided a letter stating that in addition to being in contact with Mr. Dixon, he had also been in touch with Mark Saccetti at Transco to coordinate the construction of the access road, as well as completing the entire septic system. He is anticipating that this will commence the beginning of next week, once the PA One Call is activated. He said he is doing everything in his power to complete this, but due to the weather, his construction crews have been delayed immensely with the project. Attorney Brennan suggested the Supervisors grant a two month extension with the understanding that it can be extended, if the weather does not allow for the project to be completed. Supervisor W. Grant made a Motion to extend the temporary septic tank permit for Mr. Friedman's project to November 1st with the understanding that if the weather does not allow the project to be completed, that Mr. Friedman would have the ability to come back to the Township and request an additional extension to get it completed. Motion was seconded by Supervisor F. Wagner and carried.

Attorney Brennan - Zoning Ordinance and Zoning Map Amendment.

Attorney Brennan explained that when there is an Amendment to the Zoning Ordinance, a public hearing is required, which normally would be fine and would be able to be done rather quickly. However, coupled with the proposed Zoning Amendment, there are also changes to the Zoning Map, which requires more extensive notice of mailings to everyone in the area that will be affected. The mailings need to be according to the addresses as shown on the tax bills. We also need to have reasonable postings of the areas involved in the zoning. This all must be done at least 30 days prior to holding a Public Hearing. That may be okay when you just have little spots, but we have significant areas. Attorney Brennan asked both Township Manager/ Road Master, Martin

Barry, and Zoning Officer, Carl Alber, both of whom will be involved with the big task of getting the addresses of the people from the tax collector as well as doing the mailings and the postings, if they thought it would be possible to have the mailings and postings all out and done by mid October. He said he would like to make it as clear as possible and to do as good a job as possible to do it right. Rather than rushing it, he suggested if we could have both the postings and mailings done by mid October, we could then possibly have the public hearing on November 20th or November 27th. The Supervisors then would be able to act on it at their December 4th Meeting. Attorney Brennan said he has been hoping that we could set the hearing date this evening for November 27th, with plans for the Supervisors acting on the amendments on December 4th. Supervisor W. Grant

asked if any citizens had any objections with their changing of the zoning ordinance or the zoning map, would the December 4th Meeting be deferred until it is resolved? Attorney Brennan replied that the Supervisors will listen to the public comments made at the Hearing, and then in December take everything into account that they have heard and want they would like to do, and then base their decision on all of that. Since there are multiple changes in the Zoning Map, Supervisor W. Grant questioned if the Supervisors will vote on the individual changes to those areas or will they vote on the zoning changes in their entirety. Attorney Brennan said they will either accept the map as drawn or will accept it with modification. Attorney Brennan said he will work with Mr. Barry and Mr. Alber on the language for the mailings and on what we will need to post. Basically, we are just going to give a summary and then tell everyone where they can come to view the map. As far as the postings, we will just say this area is be rezoned to a particular zone on a particular day and time, and then instruct them to please see the map which is available for viewing at the Township Administrative Office during normal business hours. Supervisor F. Wagner made a Motion that the Township is going to be endeavoring to get all the notices out by mid October, for a public hearing on November 27th and for action on the Amendment to the Zoning Ordinance and Zoning Map at the regular scheduled Supervisors Meeting on December 4th. Motion was seconded by Supervisor W. Grant and carried.

Request by Pennoni Associates for an adoption of a Resolution stating Yalick Road is an official Township Road.

Attorney Brennan asked Engineer Representative, T. Doughton if the Office of the Clerical Court, the Court of the Common Pleas of Luzerne County confirms that Yalick Road is listed as a Township Road. T. Doughton said Ryan had said it did, but, he, himself, had not personally seen it. However, Ryan said the docket is so old, that it is very difficult to read or decipher. T. Doughton said it is one of the original first roads in Dallas Township. We receive liquid fuel money for it. Based on that, Attorney Brennan said he didn't feel anyone could contest that it is our road. If this company isn't satisfied with that, we can prepare a resolution to confirm it and have the Supervisors sign. T. Doughton said he doesn't think it is Pennoni Associates requesting it, but rather it is PennDot. It is part of the highway occupancy permit, and they want to clear it with the

Township that it is a Township Road. Attorney Brennan stated we could write a resolution stating that what appears in the Office of the Clerical Court, the Court of Common Pleas of Luzerne County, and based on the fact that the road has been treated as a Township Road for as long as anyone can remember, and based upon the fact that we get liquid fuel tax, we resolve that Yalick Road is a Township Road.

Dallas Kiwanis Ice Rink Project.

Abigail Patrick, Dallas Kiwanis Club President, stated Dallas Kiwanis will be working with the Luzerne Foundation for their project. This requires an agreement between them for purchasing, erecting, and storing the equipment necessary. Dallas Kiwanis will do all the fund raising and will specify the equipment to buy. They will provide Kiwanis insurance while the rink is in use and will erect the rink in late October and disassemble the rink in April. Any activities at the rink will be paid for by the club. She said they originally planned to erect the rink in the Township's Park, but since nothing has happened as of yet with the Park, they are looking to erect it where the Township had the Christmas tree lighting last year. They are waiting for Dr. Duffy, Dallas School District's _____, who voiced he thought it would be a great idea, to get back to them to confirm they can put the rink there for this year. Hopefully, when the park gets going, and traffic and parking are done, they will be able to move it to that location. Mrs. Patrick said the Kiwanis, in working with the Luzerne Foundation, is asking Dallas a Township to purchase the equipment using the Luzerne Foundation Pass Through Funds, and to take responsibility for storing the equipment in the off season. The equipment requiring storage for a 60' x 100' Ice Rink would include: 32- 2" x 12" x 10" boards, 1 x 8' x 2' roll of liner (approximately 200 pounds), 1 - 8' x 2' roll of underlines, if necessary, brackets and foam toppers for boards, and wooden brackets (size to be determined) for signage. The Township would basically own the equipment and will store it. Attorney Brennan said the Township would have to be named as an additional insured and the School District will probably require it as well. He said it sounds okay, because the Township would. Not be using Township money, and all advertising requirements would be that we use the lowest qualified bidder for any money we would spend. He said it is a worthwhile project. It is almost like what we do for the races or the runs for worthy causes