

DINGMAN TOWNSHIP BOARD OF SUPERVISORS
APRIL 5, 2022 MEETING
AGENDA

**THERE WILL BE AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE PUBLIC COMMENT PERIOD
TO DISCUSS PERSONNEL MATTERS**

1. CALL TO ORDER - Pledge of Allegiance
2. PUBLIC HEARING – Dollar General Conditional Use & Fire Protection Waiver
3. APPROVAL OF MINUTES: March 1, 2022 Regular Meeting
4. OLD BUSINESS
 - a) Sunrise Lake Section 9 Water & Sewer
 - b) Preserve at Milford Hills
 - c) Garage Project
 - d) Har Haven – Request for Modification to O&M Agreement
 - e) Pike County 911 Office -EMS Dispatching
 - f) Park Public Water System “Permit”
 - g) Other Old Business
5. NEW BUSINESS
 - a) Fisher Lane Culverts – Bid Tabulation/Award
 - b) 2022 Line Painting – Authorization to Bid
 - c) Other New Business
6. CORRESPONDENCE
 - a) Pike County Tax Claim – Exoneration
 - b) Pike County Humane Society
 - c) Miscellaneous Correspondence
7. SUBDIVISIONS / LAND DEVELOPMENTS
 - a) Sanko Sewage Planning Module
 - b) Newlin Lot Improvement
8. EMERGENCY SERVICES REPORTS
9. ROADMASTER REPORT
10. SEWAGE/ZONING/CODES ENFORCEMENT OFFICER REPORT
11. TREASURER'S REPORT / SECRETARY'S REPORT
 - a) Payment of Bills: \$278,875.28 General Fund
 \$ 1,511.03 Rec Fund
 \$100,000.00 LF Fund
 \$ 20,500.00 EMS Fund
 - b) General Fund Balance: \$ 643,878.02
12. PUBLIC COMMENT PERIOD
13. EXECUTIVE SESSION
14. ADJOURNMENT

ATTENDANCE:

Thomas E. Mincer, Chairman; Edward D. Nikles, Supervisor; Theo Balu, Supervisor; Karen Kleist, Secretary/Treasurer; John H. Klemeyer, Solicitor; Chris Wood, Sewage/Zoning Enforcement Officer; Shane Williams, Roadmaster; Chris Karelus, PE, JHA Company; Edward Davis, Miller Brothers; Ray & Barbara Lizzi; and members of the public and press.

ITEM NO. 1: CALL TO ORDER

Chairman Mincer called the meeting to order at 7:00 pm opening with the Pledge of Allegiance. He announced that there would be an Executive Session following the Public Comment Period to discuss Personnel matters.

**ITEM NO. 2: PUBLIC HEARING
Dollar General Conditional Use and Fire
Protection Waiver**

A duly advertised Public Hearing was held to consider the conditional use zoning application of Raymond & Barbara Lizzi for a Dollar General on their property known as Dingman Hills Lot 2. Let it be known that a Court Reporter was present and the transcript will be made part of the property/permit file. There were no other parties present except for the Township, owner and Applicant. Solicitor Klemeyer entered eight items into evidence on behalf of the Township, including the legal notice, recommendation letters from the Planning Commission for the Conditional Use and the Fire Protection Waiver, recommended conditions from Engineer Mike Weeks if approved, a photo of the notice posted on the property, correspondence from Chris Wood, and an application for the Fire Protection Waiver. Four items were entered into evidence on behalf of the Owner & Applicant, including a Concept Plan dated November 15, 2021 and a revision dated January 14, 2022, review comments from Chris Wood and Mike Weeks, and Applicants' responses to those comments.

The Applicant's engineer Chris Karelus testified that the property is 2.5 acres in size and has a joint HOP access with the Ray & Charles Deli. The Waiver for the Fire Protection Ordinance requirement of fire lanes was approved by both the Fire Chief and EMA Coordinator. They are attending a pre-application NPDES workshop with the Conservation District this week. The plan includes an adequate septic area and replacement area. It was noted that Mike Weeks' letter of April 4, 2022 contains a list of zoning ordinance requirements that have not yet been satisfactorily addressed; the Applicant stated they are Land Development items the Planning Commission wanted addressed during the Conditional Use phase, which is too early.

MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to approve the Fire Protection Waiver application with the following conditions recommended by the Planning Commission: The access to water for fire protection has to be enhanced and located in a way that is acceptable to the EMA Coordinator and Fire Chief, who will submit a letter to that effect in writing before any Certificate of Occupancy can be issued, and a signed Operations and Maintenance Agreement will be required.

The Planning Commission recommended approval of the Conditional Use subject on all the items that would normally be addressed at the conditional use stage be added to the list of items that would have to be addressed at the Land Development stage, and that a list of sections of the Zoning Ordinance that have not yet been addressed adequately or at all is going to be provided by the Township Engineer to the Township before the Board of Supervisors meeting on April 5 2022. Solicitor Klemeyer asked the Applicant if they agreed to the conditions (list prepared by Mike Weeks dated April 4 2022)? The Applicant agreed. MOTION was made by Theo Balu, seconded by Ed Nikles, and unanimously carried to approve the Conditional Use subject to meeting the conditions itemized in the April 4, 2022 letter from Mike Weeks.

ITEM NO. 3: APPROVAL OF MINUTES

MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to approve the March 1, 2022 Minutes as presented.

**ITEM NO. 4: OLD BUSINESS
A) Sunrise Lake Section 9**

There was nothing new to report.

- ITEM NO. 4(B):**
Preserve at Milford Hills
- There was nothing new to report.
- ITEM NO. 4(C):**
Garage Project
- The Board decided to bring in our own experts to check the concrete flaking, leaks, and insulation that has gotten wet numerous times. The Secretary was directed to ask Mike Week if there is anyone he could recommend.
- ITEM NO. 4(D):**
Har Haven Request for O&M Agreement Modification
- Karen Kleist reported that Har Haven's engineer will be meeting with Mike Weeks and Chris Wood to discuss. MOTION was made by Theo Balu, seconded by Ed Nikles and carried to table this item.
- ITEM NO. 4(E):**
Pike County 911 EMS Dispatching
- The Board is still waiting for Milford Fire Dept. Ambulance to bring in their historic call numbers.
- ITEM NO. 4(F):**
Park Public Water Supply Permit
- Karen Kleist explained that Carol Stats from DEP Safe Drinking Water needs to know if the Township will be deactivating the public water supply permit at the Park. Following discussion, MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to deactivate the public water supply permit at the Park. Solicitor Klemeyer suggested taking photos of the signs at the restroom sinks that the water is not a potable water supply.
- ITEM NO. 4(G):**
Other Old Business
- There was no Other Old Business at this time.
- ITEM NO. 5: NEW BUSINESS**
A) Fisher Lane Culverts – Bid Tabulation
- As advertised, the bids were opened on March 30, 2022. Two bids were received – Wayco Inc. at \$73,280.00 and Morgan Site Contractors at \$153,967.75. Following review by the Township Engineer, Mike Weeks recommended the bid be awarded to Wayco Inc. MOTION was made by Theo Balu, seconded by Ed Nikles, and unanimously carried to award the bid for the Fisher Lane culvert replacements to Wayco Inc. in the amount of \$73,280.00.
- ITEM NO. 5(B):**
Line Painting- Authorization to Bid
- The Board reviewed the proposed ad and bid document for line painting. All roads except for Christian Hill which is slated for paving were included. Shane Williams asked the Board to consider holding off on the paving and using that money to replace the Husson & Christian Hill Road culverts. MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to replace the culverts this year rather than resurfacing Christ Hill Road, and to authorize Mike Weeks to do the engineering needed for the DEP permit applications. The Board authorized advertising for line painting bids, adding Christian Hill Road to the list.
- ITEM NO. 5(C):**
Other New Business
- There was no Other New Business at this time.
- ITEM NO. 6: CORRESPONDENCE**
A) Pike County Tax Claim- Exoneration
- The Board was in receipt of correspondence from the Pike County Tax Claim Director that the Barbara Buchanan Life Estate expired at her death in December 2019 and the property reverted to the National Park Service. Taxes assessed for 2020 and 2021 in error need to be exonerated. The Board has no objections.
- ITEM NO. 6(B):**
Pike County Humane Society
- The Board was in receipt of correspondence from the Human Society requesting to hold a Dog Walk Fundraiser on the Park Trail on July 16th. They will make sure dogs are leashed and picked up after, and will provide a Certificate of Insurance. The Board does not object to making a one-time exception concerning dogs in the Park for a special event. The Request will be forwarded to the Parks & Recreation Commission for review.

**ITEM NO. 6(C):
Miscellaneous Correspondence**

The Board reviewed various Miscellaneous Correspondence and had no comments.

**ITEM NO. 7:
SUBDIVISIONS / LAND DEVELOPMENTS**

- A) Sanko Sewage Planning Module: The Board reviewed the Planning Module proposing to construct an on-lot system and disconnecting from the Section 9 central sewage system, and documentation including reviews of adequacy from the Alternate Solicitor and Township Engineer. The Planning Commission recommended approval of the Module. MOTION was made by Theo Balu, seconded by Ed Nikles, and unanimously carried to adopt Resolution No. PM01-2022, approving the Sanko Sewage Planning Module for forwarding to PaDEP.
- B) Newlin Lot Improvement: The Board reviewed the proposed lot improvement and documentation including deeds, letters of adequacy from the County Planning Commission and Township Engineer, and a recommendation from the Planning Commission for approval. MOTION was made by Theo Balu, seconded by Ed Nikles, and unanimously carried to approve the Newlin lot improvement combining lots 1649 & 1650 of Pocono Mt. Woodland Lakes, to be known as Lot 1649A.

**ITEM NO. 8:
EMERGENCY SERVICES REEPORTS**

Jeff Ireland of DTVFD was present and reviewed their report for the Month of March. There were 42 Fire and 117 EMS (73 in Dingman) calls.

**ITEM NO. 9:
ROADMASTER REPORT**

MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to approve the March 7-21, 2022 and the March 21-April 4, 2022 Roadmaster Reports as submitted.

Shane Williams informed the Board that the automatic garage doors (new part) most often do not work remotely. He contacted the company that installed them and they recommended an antenna system in the amount of \$850. The Board told Shane to contact the company we normally use for the garage doors.

Shane provided quotes for a pavement saw and weedwacker/sweeper. MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to authorize the purchase of the pavement saw (Husky) and weedwacker as quoted from Sawkill Power Equipment.

Shane also received a quote for a diagnostic tool they have been using on a trial basis that is extremely helpful in pinpointing vehicle problems. The cost to purchase is \$430/year. MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to authorize the purchase of the diagnostic tool.

Karen Kleist stated that the new truck is due at any time. We will need to name an authorized signer for the paperwork. MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to authorize Karen Kleist to sign the title, etc. paperwork for the new truck purchase.

**ITEM NO. 10:
SEWAGE / ZONING OFFICER REPORT**

Chris Wood provided a summary of the courses he took at the PaSEO Conference.

ITEM NO. 11: TREASURER'S REPORT

MOTION was made by Ed Nikles, seconded by Theo Balu, and unanimously carried to approve the April 5, 2022 Treasurer's Report, Bill Payment List, and General Fund balance, and to sign three checks following the meeting.

ITEM NO. 12: PUBLIC COMMENTY

No comments were received.

ITEM NO. 13: EXECUTIVE SESSION

The Board recessed to Executive Session at this time.

ITEM NO. 14: ADJOURNMENT

There being no further business after reconvening the regular meeting, MOTION was made by Theo Balu, seconded by Ed Nikles, and unanimously carried to adjourn the April 5th meeting.

Respectfully submitted,

Karen Kleist, Secretary/Treasurer