

**PENN FOREST TOWNSHIP
BOARD OF SUPERVISORS
2010 STATE ROUTE 903
MEETING MINUTES**

February 5, 2018

The Regular Monthly Meeting of the Penn Forest Township Board of Supervisors is being held at Penn Forest Township Municipal Building, 2010 State Route 903, Jim Thorpe, PA.

PLEDGE OF ALLEGIANCE:

Chairman Warren Reiner asked that all in attendance stand and recite the "Pledge of Allegiance".

CALL TO ORDER:

Supervisor Warren Reiner called the meeting to order at 7:00 p.m.; Roll Call by Township Secretary.

Members: **Warren Reiner, Supervisor
Judith Knappenberger, Supervisor-by phone
Scott Lignore, Supervisor
Roger Meckes, Supervisor
Tom Cross, Supervisor**

Office Staff: **Dana Vitale, Secretary**
Solicitor: **Thomas S. Nanovic**

- A. EXECUTIVE SESSION:** Was held Feb 5th from 6:30 p.m.-7:00 p.m. to discuss legal matters. Executive session was held on Thursday, Feb 1st from 2:00 – 3:25 p.m. to discuss legal matters.

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B. PUBLIC COMMENTS -

Marcus Lawrence- A letter was distributed by Mr. Lawrence regarding the proposal to amend the Accessory Structure Ordinance with his suggestions. Mr. Lawrence asked the question "did the BOS appeal Judge Searfoss ruling on the Wind Turbines? He wanted to know why the BOS is not appealing his decision.

Attorney Tom Nanovic - Stated it was for 3 reasons. 1) I don't think Judge Searfoss decision will be overturned and we would not be successful. 2) Attorney Nanovic stated: I don't think the law is cloudy on this point; we have no factual points to present. I don't think we would win on appeal. 3) Attorney Nanovic stated I think it is inappropriate for the Township to advocate any position at this time. I have tried to keep the Board of Supervisor's independent. I think it would conflict us when it came to the

Land Development Plan. The BOS do care but they are taking my advice as Solicitor to not speak because of pending litigation and when it comes before us with the Land Development Plan.

Marcus Lawrence- It was clear on the deemed approval Mr. Rapa should have moved forward. How would we hold the Zoning Hearing Board accountable for Mr. Rapa actions? If this ultimately gets passed through the township will be sued by the residents for any damages. How is the Township holding Mr. Rapa accountable??

Attorney Tom Nanovic – The Township is not following through on any actions against Mr. Rapa.

Sky Fogal- Holy Spirits Distillery Project/Sub-Division Plan will not be moving forward. Mr. Fogal would like the Township to release the Escrow money for Distillery Project. Agreement for Land Development to be null and void.

MOTION made by Supervisor Reiner, Second by Supervisor Meckes to prepare agreement to rescind SKYLLC Land Development Plan.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

Rich Strack & Rick Tweed- Park & Recreation Committee would like to propose to the board to add a Serenity Garden with solar powered fountain and pergola. The purpose is to provide quiet space to rest and reflect for quiet meditation and for small group meetings. The project will be developed by the Advisory Board and will be constructed by volunteer members of our community such as Carbon County Career and Technical Institute. Funding will come from the proceeds of the CY Banner Program.

P&R Committee also proposed installing a small lending library for free exchange of books for individuals using the facilities of the park. Abigail Paul a Penn Forest resident, as her Gold Award Girl Scout Project will be constructing with her fellow Girl Scout Troop members and friends. Funding for this project will be provided by Ms. Paul as fundraising is a requirement of her Gold Award.

C. MEETING MINUTES:

(1) REORGANIZATION MEETING ON JANUARY 2, 2018

MOTION made by Supervisor Reiner, Second by Supervisor Meckes to appoint **Carl Fazio** as a member of the Vacancy Board for 2018.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

MOTION made by Supervisor Reiner, Second by Supervisor Meckes, to appoint **Jerry Dotter** as PFT Assistant EMC for 2018.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

MOTION made by Supervisor Reiner, Second by Supervisor Lignore to approve the Reorganization Meeting minutes from January 2, 2018.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

(2) REGULAR BOS MEETING ON JANUARY 2, 2018

MOTION made by Supervisor Reiner, Second by Supervisor Cross to approve the BOS Meeting Minutes from January 2, 2018.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

D. SECRETARY: ACKNOWLEDGE CORRESPONDENCE RECEIVED

1) Lehighon Ambulance Association, Inc.

Thank you letter received for donation made by BOS to Lehighon Ambulance for 2018 in the amount of \$4,000.00.

2) Petition from PFT Residents

469 Penn Forest Township Residents have signed a petition to appeal the deemed approval granted by Judge Serfass to Atlantic Wind, LLC.

3) Emails received from PFT Residents

Township Secretary received approximately 160 emails from residents requesting the BOS to appeal the deemed approval by Judge Serfass to Atlantic Wind, LLC.

4) Update on Pipeline

January Report to Carbon County Stakeholders- PennEast/UGI Pipeline Project.

E. TREASURER'S REPORT:

(a) MAUCH CHUNK TRUST COMPANY (Statement balance as of 01/31/2018)

Township General Fund:	\$ 4,133,271.51	State Liquid Fuels Fund:	\$ 205,720.40
Capital Reserve Fund:	\$ 74,996.65	Sanitation Fund:	\$ 542,431.35
Septic Fund:	\$ 205,375.27	Park/Recreation:	\$ 829,959.44
<u>SALDO</u>	<u>\$ 80,990.03</u>	<u>Payroll:</u>	<u>\$ 20,903.76</u>
TOTAL:			\$ 6,093,648.41

(b) MAUCH CHUNK TRUST COMPANY – Certificates of Deposit (as of 01/31/2018)

Account Ending:	3394/ #5851 -	\$ 251,820.62 (6 month CD)
	3382/ #4619 -	\$ 251,883.93 (6 month CD)
	3383/ #4686 -	\$ 506,294.53 (1 yr CD)
TOTAL:		\$1,009,999.08

(c) JIM THORPE NEIGHBORHOOD BANK – Certificates of Deposit (as of 01/31/2018)

Account Ending:	1495 -	\$ 103,100.97
	1710 -	\$ 104,688.07

0064 - \$ 101,822.68
TOTAL: \$ 309,611.72

TOTAL FUNDS ON DEPOSIT: \$ 7,413,259.21

- 1) **MOTION** made by Supervisor Reiner, Second by Supervisor Cross to accept Treasurer's Report for JANUARY 2018 (Subject to Audit).

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

- 2) **PAYMENT OF THE BILLS FOR JANUARY 2018**

MOTION made by Supervisor Reiner, Second by Supervisor Meckes to pay the bills for JANUARY 2018.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

F. NEW BUSINESS:

WARREN REINER, CHAIRMAN

- 1) **ROADMASTER REPORT FOR JANUARY 2018**

The last 30 days from snow and ice has been murder. PFT has used more salt and deicer in the past 2 months then all of last year.

- 2) **APPLICATION FOR PAYMENT FROM SPOTTS BROTHERS, INC.**

Payment requests from Spotts Brothers, Inc. for work completed on Penn Forest Park Restrooms. Requests in the amount of \$71,514.90 for General Contract and \$17,847.00 for Plumbing Contract. Total amount due \$89,361.90.

MOTION made by Supervisor Reiner, Second by Supervisor Cross to **Approve** application for payment to Spotts Brothers in the total amount of \$89,361.90.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

ROGER MECKES, VICE CHAIRMAN

- 1) **RATIFY THE MOTION TO ACCEPT RESIGNATION FROM LISA SHEDAKER**

Township Administrative Assistant Lisa Shedaker submitted her resignation letter to the BOS on January 12, 2018 which stated her last day will be January 19, 2018.

MOTION made by Supervisor Meckes, Second by Supervisor Reiner to ratify the motion that was done by a call out vote on January 15, 2018 to **ACCEPT** the resignation letter from Lisa Shedaker, Township Administrative Assistant effective January 19, 2018.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -yes; WR- yes **MOTION** Passed

2) HIRE FULL-TIME ADMINISTRATIVE ASSISTANT

MOTION made by Supervisor Meckes, Second by Supervisor Reiner to hire replacement Administrative Assistant at a rate of \$13.00 per hour wage.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -NO; WR- yes **MOTION** Passed

3) GOVERNMENT / MUNICIPAL / PUBLIC FUNDS BANKING RESOLUTION

Resolution No. 5 of 2018---MCT Banking Signatures for PFT.

MOTION made by Supervisor Meckes, Second by Supervisor Reiner to adopt Resolution No. 5 of 2018 authorizing signing signature of Supervisor, Tom Cross for banking purposes.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC-Abstain; WR- yes **MOTION** Passed

G. PFT PARK AND RECREATION

CONCESSION STAND PROJECT

Project still in process, about half way through at this point.

H. REPORTS:

WARREN REINER, CHAIRMAN

TRANSFER STATION -

- 1) UPON SOLICITOR APPROVAL- AMENDING RESOLUTION NO. 4 OF 2018---SETTING FEES, ESTABLISHING RULES, REGULATIONS FOR DISPOSAL OF RESIDENTIAL OR LIGHT COMMERCIAL WASTE** Resolution #4 of 2018 states the fees, rules and regulations for the 2018-2019 garbage billing cycle of July 1, 2018 to June 30, 2019 for Residential, Limited Usage and Commercial. Limited Usage Permit will no longer be available. Residential Permit will now be a fee of \$50.00.

MOTION made by Supervisor Reiner, Second by Supervisor Lignore to **AMEND** Resolution No.4 of 2018, Setting Fees, Establishing Rules, Regulations for Disposal of Residential waste or Light Commercial Waste for Penn Forest Township.

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -NO; WR- yes **MOTION** Passed

3) BULK AMOUNT for JANUARY 2018---\$ 865.00 * Year to Date Total: \$ 16,596.00

Prior Deposits to Garbage Acct for 2016-17	\$ 262,901.75*
2016-2017 Residential Permits (1836)	\$ 55,165.96
2016-2017 Limited Permits (811)	\$ 4,053.00
2016-2017 Commercial Permits (9)	\$ 1,550.00
TOTAL DEPOSITS	\$ 60,768.96**
2017-2018 Limited Permits (929)	\$ 46,150.00
2017-2018 Disc Residential Permits (1,652)	\$ 121,740.00
2017-2018 Residential Permits (346)	\$ 33,432.01
2017-2018 Commercial Permits (9)	\$ 1,550.00
TOTAL DEPOSITS	\$ 202,872.01**
TOTAL ALL Garbage Permits Sold	\$ 263,640.97**
Total Deposits to Garbage Acct for 2016-17	\$ 526,542.72*

4) ADMINISTRATIVE REPORTS

A) RIGHT-TO-KNOW REQUESTS FOR JANUARY 2018

Administrative & Financial Requests: (See Attached Lists)

Submitted: 24 / Responded: 24 / Total Hours: 14.25 hrs

Zoning & Septic Requests: Submitted: 21 / Responded: 21

I. ZONING DEPARTMENT

1) Zoning Officer--- Kathryn Forry submitted Zoning Report for January 2018.

2) Beltzville Storage Units - DISCUSSION: Developer's Agreement and Guarantee.

Attorney Nanovic stated that letter of credit is required from applicant before PFT can proceed with signing of the plans.

J. PUBLIC COMMENTS – (3 Minute Limit)-

NONE

BEING NO FURTHER BUSINESS, MEETING WAS ADJOURNED AT 7:50 P.M.

MOTION to adjourn meeting by Supervisor Reiner, Second by Supervisor Lignore

ROLL CALL: JK- yes; SL-yes; RM- yes; TC -NO; WR- yes **MOTION** Passed

REMINDERS:

- 1) *The Next Regular Board of Supervisors Meeting will be held Monday, March 5th, 2018 at 7:00pm.*
- 2) *The Park and Recreation will hold their monthly meeting on Wednesday, February 21st, 2018 at 6:30pm at the Township Building.*
- 3) *The Planning Commission will hold their monthly meeting on Monday, February 26th (if needed).*

**DANA VITALE
TOWNSHIP SECRETARY**

**WARREN R. REINER
CHAIRMAN, BOARD OF SUPERVISORS**