

PENN FOREST TOWNSHIP
BOARD OF SUPERVISORS
2010 STATE ROUTE 903
JIM THORPE, PA 18229

MEETING MINUTES

May 2, 2022

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 Meckes asked that all in attendance stand and recite the "Pledge of Allegiance".

CALL TO ORDER:

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

Members:	Roger Meckes, Chairman
	Christian Bartulovich, Vice-Chairman (absent)
	Scott Lignore, Supervisor (absent)
	Thomas Cross, Supervisor
	Patrick Holland, Supervisor

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

A. EXECUTIVE SESSION: Was held from 6:15-7:05 p.m. to discuss personnel & potential litigation.

B. PUBLIC COMMENTS: (3 Minute Limit)

Ron Woytowich- TT stated that he approached the BOS regarding the Septic Cleaning about asking to have a mandate every 3 years which is the standard. The BOS stated that they are not sure what the STR Ordinance states. Attorney Nanovic stated he would like to see exactly what our Ordinance says. Attorney reviewed the Ordinance. It just states it should be operating properly. The BOS stated they would have to discuss.

Jim Mannix- TT stated page 11 of the Ordinance- Smoke Detectors/Carbon Monoxide and other safety requirements have any of these actually been inspected. So as of today no one has physically gone out and done an inspection. Supervisor Holland stated no, not that I am aware of and he believes any issues that arise would fall on the homeowner. Mr. Mannix stated he believes there will be a tragedy. BOS

and Solicitor stated that he believes Supervisor Bartulovich would be the appropriate person to respond. Mr. Mannix stated we do not require insurance and Attorney Nanovic stated no we do not have that requirement for any property owners in the Township. Supervisors and Attorney Nanovic stated Mr. Bartulovich is the person to have an answer regarding what is required for the STR License. Mr. Mannix stated the Septic Maintenance documents; are they required to be sent to the township? Attorney Nanovic stated that he read from the Ordinance and 5 or more bedroom it is required to provide proof of Septic Maintenance. Mr. Mannix stated what happens with the License if the property is sold? The Supervisors stated they do not have the answer at this moment. Ellen Capell stated that she was told that the License needs to be renewed every year and not transferable; the Zoning Permit stays with the property.

Ron Woytowich stated regarding the septic cleaning and read from the Ordinance. Attorney Nanovic read the Ordinance and stated 5 bedrooms or more you need to show that it is adequate and all of the STRs need to show Septic maintenance every 3 years.

Peggy Dusablon- status of the automated system talking to each other. Supervisor Meckes stated that Supervisor Bartulovich was handling that and he was supposed to be on Zoom however his schedule got changed and he was unable to attend. The RTK report can I post it publicly? Attorney Nanovic stated that we are obligated to respond per the RTK law and what you do with it is beyond our control. Peggy, I also had asked last month regarding restrictions/distance being placed. The Supervisors stated that we do not have anything in place at the moment.

Bill Mailley- TT-STR discussed the Ordinance - which states that TT bylaws triumphs the Township. Attorney Nanovic stated there was a public hearing and was advertised in the newspaper. The TT board was notified. Attorney Nanovic read Ordinance and yes TT supersedes the Township. Our laws have not be enforced, business in the development, renting out their homes. The Board of Directors have over the years let things go and its sad how this has changed this private community. We have over 300 STRs who bring in 5 or more every weekend and we are not prepared for it. Attorney Nanovic stated we have no control over it. Supervisor Holland asked Attorney Nanovic what if our Ordinance was stricter. Attorney Nanovic replied whom ever has the stricter Ordinance would have to abide. Mr. Mailley stated it's all about the STRs.

Joan Elliott- questioned the Supervisor, if a property is advertised without a license; will they be notified and contacted by the Township? Attorney Nanovic stated that if we know about it, yes they will be notified. Joan, isn't that what Granicus is supposed to be doing? Supervisor Meckes stated yes that is correct they are supposed to watch this entire list. Ms. Elliott, we came up just in TT that is 10 properties that are being advertised. Joan, the only way we can do anything, is to prove that they are renting and it's very difficult to prove that they are renting. I was under the impression that the Township would be monitoring. The Supervisors will find out why these properties have not been verified. Is that easy to change the number of bedrooms and the install a larger septic system. What about the flow of water and mound? It does have an impact when you are going from a smaller mound to a larger mound. Supervisor Meckes stated the SEO looks at the design and flow of water but I don't know what he looks at. Joan stated it seems very easy to come down and get permits to increase the Septic. Supervisors will address with township SEO.

Ruth Naphys- we need to change the law there are too many properties coming in. There is a home that claims to accommodate 20 people and a resort which we are not. These are all these things being advertised on the Air BNB. It has caused a lot of animosity in our community. There are houses that are having fires. We made some phone calls to Realtors and Mortgages and if I want to sell my home and there are certain about of renters in your area they will not want to give you a mortgage. A lot of us are retired and not the same as it was few years ago. It is overrun with renters and we cannot use the amenities. We need to find out what our rights are and asking you for help. We need to come to some friendly rules in our community. Philip Prout, Township Zoning Officer as property owners everyone has their rights. PFT has a problem and the Ordinance was reactive with dealing with problems in TT. We do review every single application that comes in. We are doing our best and our colleagues are seeing the day to day stuff. We are actively working on the non-compliant properties. The Ordinance didn't bring this problem on the problem was already there. We can do inspections and ultimately it's just a snapshot of the property and they could change that. The total number of STRs has not changed much since we have this Ordinance in place. Eileen, so the only time they will address any problems is if you call the complaint line.

Joseph Laschenski- read from his phone regarding the STR report being sent out via the RTK law. He wants to know why the Township has send out a report with personal information in an editable file. My rights as individual have been broken. Attorney Nanovic stated that the information is public record and the Township cannot control what happens when the file leaves the Township. The Supervisors and Attorney Nanovic stated that all files generated would be in PDF form.

Michael Kaczenski- PA Turnpike Commission Debris Plan- 2 bridges to be disposed on lot surrounded by preserved land. The PTC is replacing 2 bridges on the NE Hawk Falls & Rt. 534. They will use the parcel 21-51-B2 to dispose of clean fill debris from the replacement of the 750+ long bridge. This will impact my property, its flora and fauna parcels 21-51-B3 & 21-51-B2.01. I am willing to buy the PTC parcel to include in the conservation easement to protect an unbroken and pristine example of the Poconos.

C. MEETING MINUTES:

1) REGULAR BOS MEETING ON APRIL 4, 2022

MOTION made by Supervisor Meckes, Second by Supervisor Holland to approve the BOS Meeting Minutes from APRIL 4, 2022.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

2) SPECIAL BOS MEETING ON APRIL 21, 2022

MOTION made by Supervisor Meckes, Second by Supervisor Cross to approve the BOS Special Meeting Minutes from APRIL 21, 2022.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

D. SECRETARY: ACKNOWLEDGE CORRESPONDENCE RECEIVED

1) JIM THORPE ROTARY 25th SUMMER RECREATION PROGRAM- donation request

Jim Thorpe Rotary Summer Recreation Program is being held from June 20th to August 11th, 2022 at Memorial Park. \$1,000.00 donation was given 2021.

MOTION made by Supervisor Meckes, Second by Supervisor Cross to **DONATE** \$1,000.00 to the Jim Thorpe Rotary Summer Recreation Program.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

2) JIM THORPE BOROUGH & POLICE DEPT. – FIRE POLICE ASSISTANCE

Traffic control for a Steam Train Excursion being held on Saturday, May 28, 2022.

MOTION made by Supervisor Meckes, Second by Supervisor Cross to **AUTHORIZE** Fire Co. #1 & #2 to provide assistance with the Steam Train Excursion on May 28, 2022.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

3) DIMMICK MEMORIAL LIBRARY REQUEST- LITTLE FREE LIBRARY

Christine Fazio, Dimmick Representative is requesting to place an additional free library at the opposite end of the park near the ball fields.

MOTION made by Supervisor Meckes, Second by Supervisor Cross to **ALLOW** Dimmick Memorial Library to place a Little Free Library at the park.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

E. TREASURER'S REPORT:

(a) MAUCH CHUNK TRUST COMPANY (Statement balance as of 4/30/2022)

Township General Fund:	\$ 2,887,908.22	State Liquid Fuels Fund:	\$ 267,942.02
Sanitation Fund:	\$ 158,277.77	Payroll:	\$ 16,315.88
Septic Fund:	\$ 335,135.34	Debit Card	\$ 4,987.11
SALDO:	\$ 242,549.21	Fire Escrow:	\$ 25,620.00
Rent :	\$ 74.01	American Rescue	\$ 16.60
TOTAL:			\$3,938,826.16

(b) MAUCH CHUNK TRUST COMPANY – Certificates of Deposit (as of 4/30/2022)

Account Ending: #1841 -	\$ 3,610,495.91	(3 month CD)
#5851 -	\$ 259,380.72	(6 month CD)
#1301 -	\$ 2,050,258.01	(13 month CD)
TOTAL:	\$ 5,920,134.64	

TOTAL FUNDS ON DEPOSIT: \$ 9,858,960.80

1) MOTION made by Supervisor Meckes, Second by Supervisor Holland to accept Treasurer's Report for APRIL 2022 (Subject to Audit).

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

2) PAYMENT OF THE BILLS FOR APRIL 2022

MOTION made by Supervisor Meckes, Second by Supervisor Holland to pay the bills for APRIL 2022.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

F. NEW BUSINESS:

ROGER MECKES, CHAIRMAN

1) ACCEPT VERBAL RESIGNATION FROM UWE POHLE TOWNSHIP LABORER

Verbal resignation received from Uwe Pohle April 15, 2022, effective immediately.

MOTION made by Supervisor Meckes, Second by Supervisor Holland, to **ACCEPT** verbal resignation from Uwe Pohle received 4/15/22, effective immediately.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

2) ELIMINATE GENERAL LABORER POSITION – CREATE FULL-TIME WORKING FOREMAN- UNION POSITION

TABLED UNTIL NEXT MONTH

3) ADVERTISE FULL-TIME WORKING FOREMAN POSITION (AFTER 5 DAY UNION BOARD POSTING

TABLE UNTIL NEXT MONTH

4) AWARD BID- 2022 ROAD IMPROVEMENTS

MOTION made by Supervisor Meckes, Second by Supervisor Holland to accept the BID from **The H&K Group** for the amount of **\$750,210.05** for the 2022 ROAD IMPROVEMENT of Township Roads as listed.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

5) TRANSFER STATION PROPERTY: MINOR SUBDIVISION\LOT LINE REVISION- PRELIMINARY\FINAL PLAN

a) **MOTION** made by Supervisor Meckes, Second by Supervisor Holland to **ACCEPT** SALDO waiver requests **231 & 251** (separate submissions of Preliminary & Final Plan); **314.14** (depict community water supply) **333.31** (trees greater than eight inches in caliper).

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

6) RATIFY THE MOTION: TRANSFER STATION SUBDIVISION\LOT LINE REVISION

Authorize BIA to produce final plan copies and record the official copy in the Carbon County Recorder of Deeds. Total cost of \$900.00.

MOTION made by Supervisor Meckes, Second by Supervisor Cross, to ratify the approval to authorize BIA to provide plan recording services for the above project, total cost of \$900.00.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

7) HIRE CHARLIE SCHMEHL-AMEND THE ZONING ORDINANCE TO ADDRESS TRUCK DISTRIBUTION CENTERS – municipal billing rate is \$98.00 p/hr.

MOTION made by Supervisor Meckes, Second by Supervisor Cross, to **HIRE** Charlie Schmehl at a billing rate of \$98.00 p/hr.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

8) SCHEDULE WORKSHOP TO DISCUSS ZONING ORDINANCE AMENDMENT TRUCK DISTRIBUTION CENTERS

MOTION made by Supervisor Meckes, Second by Supervisor Holland, to schedule a workshop, date TBD.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

9) BIA PUMP TRACK PROPOSAL- SEE ATTACHED

TABLED FOR REVIEW

10) AWARD BID- TRANSFER STATION TRENCH DRAIN PROJECT

MOTION made by Supervisor Meckes, Second by Supervisor Holland to accept the BID from **KOBALT** for the amount of **\$177,273.00** for the TRANSFER STATION TRENCH DRAIN PROJECT.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

CHRISTIAN BARTULOVICH, VICE CHAIRMAN

1) REPLACE FIREWALL -TRANSFER STATION- UNDERDOG PROPOSAL

(See attached) total cost \$529.48.

MOTION made by Supervisor Meckes, Second by Supervisor Cross, to **ACCEPT** quote from Underdog total cost of \$529.48.

ROLL CALL: RM=yes; CB=absent; SL=absent; TC=yes; PH=yes **MOTION PASSED**

PATRICK HOLLAND, SUPERVISOR

1) DISCUSSION: ACQUIRE INTERN FOR TOWNSHIP SOCIAL MEDIA ACCOUNTS

TABLED UNTIL NEXT MONTH

G. PFT PARK AND RECREATION

1) SOCCER FIELD LINE PAINTING REQUEST

Jim Thorpe Youth Soccer is requesting the purchase of 10 cases. \$33-\$40 a case (6 per case).

MOTION made by Supervisor Meckes, Second by Supervisor Holland, to **PURCHASE** (10 cases) up-to \$400.00.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

2) FUNDRAISING EVENT- JUNE 10TH – CELEBRATION FIREWORKS IS SPONSORING

Ashley Hopkins is requesting the usage of the concessions, baseball field and the two grassy areas. The event may include fireworks, volunteers, food, dancing and activities for families.

MOTION made by Supervisor Meckes, Second by Supervisor Cross, to **AUTHORIZE** Fundraising Event on June 10th, subject to all insurance/documentation is submitted to the Township.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

3) ADDED TO AGENDA: BASKETBALL LEAGUE, AMATEUR ATHLETIC UNION- HOST A BASKETBALL TOURNAMENT

MOTION made by Supervisor Meckes, Second by Supervisor Holland to **AUTHORIZE** the request to utilize the Basketball courts for an Amateur Athletic tournament, contingent upon all insurance/documentation is submitted to the Township.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

H. REPORTS:

ROGER MECKES, ROADMASTER

ROADMASTER REPORT FOR APRIL 2022

Blueridge Cable will be coming up in a couple of weeks to get the internet installed at the park. The new compactor heater was replaced. Soon grass will need to be cut.

TRANSFER STATION -

1) BULK AMOUNT for APRIL 2022---\$877 .00 Year to Date Total: \$1,967.00

2021-2022 Pro-Rated Permits	(1)	69.12
2021-2022 Residential Permit	(3)	<u>450.00</u>
TOTAL DEPOSITS		<u>\$1,396.12</u>

2) ADMINISTRATIVE REPORTS –

A) RIGHT-TO-KNOW REQUESTS FOR APRIL 2022-

Administrative & Financial Requests: (See Attached Lists)

Submitted: 62 / Responded: 62 / Total Hours: 116 hrs.

Zoning & Septic Requests: Submitted: 59/ Responded: 59

- I. **ZONING DEPARTMENT** - Kathryn Forry submitted Zoning Report for APRIL 2022. Philip Prout filled in for Kathryn Forry, he gave the Report for Zoning & Building, detailed report is attached. There were no ZHB meetings scheduled for April. I would like to thank Jared and my team who worked so hard with the STRs.

YIALAMAS LOT JOINER– 22A-51- EV1725 &EV1726 NEW LOT 1725A

a) **MOTION** made by Supervisor Meckes, Second by Supervisor Cross to **ACCEPT** SALDO waiver requests 333.31 (all trees of 8 inches or greater in size)

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

b) **MOTION** made by Supervisor Meckes, Second by Supervisor Cross to conditionally **APPROVE** the final **plan** subject to addressing the remaining comments from engineer's letter of 4/15/2022; as recommended by the Planning Commission and the final payment of any outstanding fees.

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

Executive session was called by Chairman Meckes at 9:20 p.m. to discuss potential litigation, the Board reconvened at 10:05 p.m.

BEING NO FURTHER BUSINESS, MEETING WAS ADJOURNED AT 10:06 P.M.

MOTION to adjourn meeting by Supervisor Meckes, Second by Supervisor Holland

ROLL CALL: RM-yes; CB-absent; SL-absent; TC-yes; PH-yes **MOTION PASSED**

REMINDERS:

- 1) *The Next Regular Board of Supervisors Meeting will be held Monday, June 6th, at 7:00 p.m.*
- 2) *The Park and Recreation will hold their monthly meeting on Wednesday, May 18th, at 6:30 p.m. at the park.*
- 3) *The Planning Commission will hold their monthly meeting on Monday, May 23rd, at 6:00 p.m. (If needed).*
- 4) *The Township Building will be closed on Monday, May 30th, in observance of Memorial Day Holiday. Transfer Station will be open.*

DANA VITALE
TOWNSHIP SECRETARY

ROGER MECKES
CHAIRMAN, BOARD OF SUPERVISORS

PENN FOREST TOWNSHIP
BOARD OF SUPERVISORS
2010 STATE ROUTE 903
JIM THORPE, PA 18229

SPECIAL MEETING MINUTES

TUESDAY, MAY 10, 2022

The Special 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:

Vice-Chairman Christian Bartulovich asked that all in attendance stand and recite the "Pledge of Allegiance".

CALL TO ORDER:

Supervisor Christian Bartulovich called the meeting to order at 6:40 pm; Roll Call by Township Secretary.

Members: Roger Meckes, Chairman (via Zoom)
Christian Bartulovich, Vice-Chairman
Thomas Cross, Supervisor (absent)
Scott Lignore, Supervisor
Patrick Holland, Supervisor (absent)

Solicitor: Thomas S. Nanovic---Solicitor
Office Staff: Dana Vitale---Twp. Secretary

A) **PUBLIC COMMENTS-** None

B) **DISCUSSION - ZONING ORDINANCE AMENDMENTS-TRUCK DISTRIBUTION CENTERS -**

Charlie Schmehl, Urban Research & Development discussed with Supervisors and Attorney Nanovic proposed changes to PFT Zoning Ordinance to address Truck Distribution Centers.

BEING NO FURTHER BUSINESS, MEETING WAS ADJOURNED AT 7:20 P.M.

MOTION made by Supervisor Bartulovich, Second by Supervisor Lignore to adjourn the meeting.

ROLL CALL: RM=yes; CB=yes; SL=yes; TC-absent; PH-absent **MOTION PASSED**

DANA VITALE
SECRETARY
PENN FOREST TOWNSHIP

ROGER MECKES
CHAIRMAN, BOARD OF SUPERVISORS
PENN FOREST TOWNSHIP

**PENN FOREST TOWNSHIP
BOARD OF SUPERVISORS
2010 STATE ROUTE 903
JIM THORPE, PA 18229**

SPECIAL MEETING MINUTES

MONDAY, MAY 16, 2022

The Special 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 Roger Meckes asked that all in attendance stand and recite the "Pledge of Allegiance".

CALL TO ORDER:

Supervisor Roger Meckes called the meeting to order at 6:00 pm; Roll Call by Township Secretary

Members: **Roger Meckes, Chairman**
 Christian Bartulovich, Vice-Chairman
 Thomas Cross, Supervisor
 Scott Lignore, Supervisor (arrived at 6:45 pm)
 Patrick Holland, Supervisor (absent)

Solicitor: **Thomas S. Nanovic---Solicitor (absent)**
Office Staff: **Dana Vitale---Twp. Secretary**

Executive Session was held from 6:03--6:53 p.m. to discuss personnel related matters.

A) PUBLIC COMMENTS

None

B) OLD BUSINESS:

ROGER MECKES, CHAIRMAN

1) ELIMINATE GENERAL LABORER POSITION – CREATE FULL-TIME WORKING FOREMAN- UNION POSITION

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to eliminate the General Laborer position and create a full-time Working Forman position at the rate of \$23.00 for 3 month probationary period after which rate will increase to \$25.00.

ROLL CALL: RM=yes; CB=yes; SL=yes; TC=yes; PH-absent **MOTION PASSED**

2) ADVERTISE FULL-TIME WORKING FOREMAN POSITION (AFTER 5 DAY UNION BOARD POSTING)

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to ADVERTISE for a Full-time working Foreman (AFTER 5 DAY UNION BOARD POSTING) at rate of \$23.00 for 3 month probationary period after which rate will increase to \$25.00.

ROLL CALL: RM-yes; CB-yes; SL-yes; TC-yes; PH-absent **MOTION PASSED**

3) DISCUSSION: PARK PUMP TRACK

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to APPROVE May 12, 2022 proposal submitted by BIA total cost of \$9,900.00.

ROLL CALL: RM-yes; CB-yes; SL-yes; TC-yes; PH-absent **MOTION PASSED**

C) NEW BUSINESS:

1) PURCHASE UTV - 3 QUOTES RECEIVED- (see attached)

MOTION made by Supervisor Bartulovich, Second by Supervisor Cross, to ACCEPT proposal FROM R&D Powersports for the 2022 Honda Pioneer,; Total cost of \$12,860.50 with deposit of \$200.00.

ROLL CALL: RM-yes; CB-yes; SL-yes; TC-yes; PH-absent **MOTION PASSED**

2) RITAL, LLC GAS STATION AGREEMENTS

Maintenance & Operating Agreement for Storm Water Facilities and the Development Agreement prepared by Attorney Nanovic.

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to APPROVE the Rital, LLC Gas Station Maintenance & Operating Agreement for Storm Water Facilities.

ROLL CALL: RM-yes; CB-yes; SL-yes; TC-yes; PH-absent **MOTION PASSED**

MOTION made by Supervisor Bartulovich, Second by Supervisor Meckes, to APPROVE the Rital, LLC Gas Station Development Agreement.

ROLL CALL: RM-yes; CB-yes; SL-yes; TC-yes; PH-absent **MOTION PASSED**

3) DELETE ALL MEETING RECORDINGS

MOTION made by Supervisor Lignore, Second by Supervisor Meckes, to DELETE ALL Township meeting recordings after minutes have been transcribed and approved.

ROLL CALL: RM-yes; CB-no; SL-yes; TC-yes; PH-absent **MOTION PASSED**

4) ADDED TO AGENDA- PSATS FLAGGER TRAINING

Reason: class will fill up fast.

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to SEND all Transfer Station and Maintenance Staff for Flagger Training on June 16th 9am- 12pm; cost of \$50.00.

ROLL CALL: RM-yes; CB-yes; SL-yes; TC-yes; PH-absent **MOTION PASSED**

BEING NO FURTHER BUSINESS, MEETING WAS ADJOURNED AT 7:17 P.M.

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to adjourn the meeting.

ROLL CALL: RM-yes; CB-yes; SL-yes; TC-yes; PH-absent **MOTION PASSED**

**DANA VITALE
SECRETARY
PENN FOREST TOWNSHIP**

**ROGER MECKES
CHAIRMAN, BOARD OF SUPERVISORS
PENN FOREST TOWNSHIP**

Dana Vitale

From: Christine Fazio <chriscarfazio@yahoo.com>
Sent: Friday, April 29, 2022 7:20 PM
To: Penn Forest Twp Secretary
Subject: PKL GOLF Tournament

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Dana,

The following is an email that Mary Farnschlager, a Dimmick Library Board Member, has sent informing everyone of the upcoming Fourth Annual PKL Golf Tournament.

I wanted to share it with the Board of Supervisors and all the Township employees. I will also be sending a copy of two registration forms under a separate email and hopefully you can share them with the BOS and place a copy of the two forms on a bulletin board for all the employees and visitors to see. Unfortunately I did not know how to attach them to this correspondence.

Last year, I believe PFT graciously sponsored a hole sign for \$50.00 that was seen by all the participants. Maybe they will be willing to do so again this year as the BOS or individually.

Thank you for your help with this matter. Christine

See Mary's email below:

Once again Penn Kidder Library is reaching out to the community. We are hosting our 4th annual golf outing at Jack Frost National Golf Club on Monday, June 20th. There are several ways to help us make this event a success.

If you are a golfer, get a team together and get ready to enjoy a beautiful golf course and support the library at the same time.

Not a golfer? Sponsor a hole for \$50. Your business or name will be put on a special sign which will appear on one of the 18 holes on the course. Jack Frost will make up the signs. All you need is a check made out to Dimmick Library (PKL golf in the memo section)

Questions, my email is maryfarn@verizon.net or call Jack Frost at 570 443-2414, extension #2

Hope to see you on the 20th,

Mary

Fourth Annual Penn Kidder Library Golf Outing



All sponsorships benefit : The Penn Kidder Library

Cost: \$50.00

This hole Sponsored by:

Name_____

Contact Phone_____

E-mail_____

Address_____

Payment Method- Cash

Check

Credit Card

With any questions call us at the golf shop at 570-443-2414x2.

Please send in form with payment to: Dimmick Memorial Library P.o. box 1049 Blakeslee,
PA 18610

Checks may be made payable to: Dimmick Memorial Library (PKL Golf) in Memo section.



BEAR CREEK LAKES WATERSHED CONSERVANCY
for
BEAR CREEK LAKES CIVIC ASSOCIATION INC
57 POOL DRIVE * JIM THORPE PA 18229
570-325-3334

May 10, 2022

Penn Forest Township Supervisors
2010 State Route 903
Jim Thorpe PA 18229

Dear Supervisors:

My name is Christine Haller, and I am representing Bear Creeks Lakes Watershed Conservancy and Bear Creek Lakes Civic Association Inc. We would really appreciate your acknowledgement of support for our grant application to address our stormwater runoff problems. Our grant writer feels that Township support, in writing, would go a long way to helping our community acquire grant money to address this issue. At the December 6, 2021 Board of Supervisors meeting Supervisor Bartulovich said that he was not opposed to helping in this way and that it was definitely worth exploring; and Supervisor Lignore stated "if you can find grants and it won't cost the Township anything then the Township would join you".

All we need from you, in the way of support, is for any, or all, of the Township Supervisors to take the enclosed sample letter and personalize it – and return it to us, so that we can include these letters of support with our grant application. The DCED grant that we are applying for has a submission deadline of May 31, 2022. If your letter(s) could be done and returned to us at least by Monday, May 23, 2022, so that we have time to forward them to our grant writer, that would be a huge help. If you would like me to pick up the letter(s), I would be more than happy to do so.

If any of you have any questions, I would be happy to try and answer them, or connect you with someone who can answer them. I can be reached at the above number, or my cell 484-7676-3687.

Sincerely,

Christine R. Haller
Board of Directors
Bear Creek Lakes Watershed Conservancy
Bear Creek Lakes Civic Association Inc.

Date

Mr. Neil Weaver, Acting Director
Mr. Gregory Welker, CFA Programs Division
PA Department of Community and Economic Development
Office of Business Finance and Workforce Development
CFA Programs Division/Flood Mitigation Program
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

Dear DCED Selection Committee:

This letter of support is for funding for a flood mitigation project in Penn Forest Township, Carbon County, PA. It is being submitted by the Bear Creek Lakes Watershed Conservancy for a 1020 lot homeowners association community where flooding from runoff from the adjacent roadway and abutting parcels is impacting homes, personal property, property values, and the 160-acre lake. The lake is a key feature of that community. Runoff is negatively affecting water quality and routinely contributing sediment to the lake, a key aesthetic and recreational resource. A stormwater management system has been designed and engineered to mitigate these impacts, and Bear Creek Lake Conservancy is seeking implementation funding. This work is being directed by the Bear Creek Lake Civic Association Board of Directors and the Watershed Committee.

This project has been reviewed with the Penn Forest Township Board of Supervisors and identified by the municipality for flood mitigation. The Township has publicly supported the community's efforts to secure grant funds for implementation for the plan.

(Supporter) enthusiastically endorses this application for funding and requests due consideration for awarding the requested grant.

Sincerely,

**PENN FOREST TOWNSHIP
2010 STATE ROUTE 903
JIM THORPE, PA 18229**

PHONE: 570-325-2768 OR 570-325-2769 FAX: 570-325-8230

May 25, 2022

PA Department of Community and Economic Development
Office of Business Financing – CFA Programs Division
Watershed Restoration and Protection Program
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

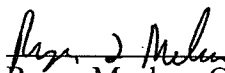
RE: Bear Creek Lake Flood Mitigation Construction
Web application # 9275479

Dear DCED Grant Selection Committee:

The Board of Supervisors of Penn Forest Township has reviewed the proposed stormwater management plan to address areas of flooding in the Bear Creek Lake community. Prepared for the community by a professional engineering firm, we find this construction project is in compliance with our comprehensive land use plans.

Further, we support this grant application for DCED funding under the Flood Mitigation Program.

Sincerely,



Roger Meckes, Chairman
Penn Forest Township BOS

Dana Vitale

From: Dan Wilusz, PE <dwilusz@barryisett.com>
Sent: Wednesday, May 25, 2022 3:48 PM
To: Dana Vitale
Cc: Roger Meckes; Tom Nanovic
Subject: RE: BCLCA Grant Application/Penn Forest Township

I cannot review this project for accuracy. I was only given the site/grading plans and I do not know how the pipes were sized for conveyance, and capacity.

I do not, however, foresee any issues with the concept of the installation of the swales and storm pipes as depicted on these plans. If/when BCLCA receives the funding, I'd imagine they will fine-tune the design, and will copy the Township on those final plans.

I do not see anything that would be out of compliance with Township regulations for design.

If you have any other questions, for me, please let me know.

Thanks and have a great evening.
Dan

From: Dana Vitale <pftsec@ptd.net>
Sent: Wednesday, May 25, 2022 9:38 AM
To: Dan Wilusz, PE <dwilusz@barryisett.com>
Subject: FW: BCLCA Grant Application/Penn Forest Township

Caution: External email. If unexpected, verify source via phone before accessing links or attachments.

Good morning sir,

Hope you are doing well.

At the request of Roger, please see below/attached. He is going to call you now.. I believe.

Thank you!

Best regards,

Dana Vitale

Penn Forest Township, Secretary
2010 State Route 903
Jim Thorpe, PA 18229
Phone: 570-325-2768
Fax: 570-325-8230
Website: pennforesttownship.org

THOMAS S. NANOVIC
TSN@nanoviclaw.com

JAMES R. NANOVIC
JRN@nanoviclaw.com

OF COUNSEL
ROGER N. NANOVIC



NANOVIC LAW OFFICES

57 BROADWAY, P.O. Box 359
JIM THORPE, PA 18229-0359

TEL: (570) 325-2774
FAX: (570) 325-0138

E-MAIL: nanolaw@ptd.net

www.nanoviclaw.com

May 23, 2022

VIA EMAIL: pftsec@ptd.net
Attention: Dana Vitale

**RE: Bear Creek Lakes Grant Application
Our File No. 1298.I**

Dear Dana:

I am responding to your email dated May 20, 2022 regarding the above-captioned matter, a copy of which is attached. I represent Bear Creek Lakes Civic Association, Inc. Therefore, I may have a conflict of interest. However, my recollection of what the Supervisors discussed back in December was that if this grant would not cost the Township anything, nor obligate the Township in any way, they would support it. Therefore, if three of the Supervisors still feel that same way, I see no problem in them signing the proposed letter to Pennsylvania DCED.

Having said that, I think the Supervisors need to approve this at a duly advertised public meeting. Specifically, according to Chris Haller's letter, Supervisors Bartulovich and Lignore seem to generally be in support of this grant (under the conditions I stated earlier). I don't know that the other three Supervisors expressed their opinions. And, of course, any action of the Board must be taken by a majority of the entire Board (three Supervisors).

You asked whether or not this is something the Supervisors could do and ratify at the June meeting. Of course, that is up to the Supervisors, but that is not the proper procedure and may be a violation of the Sunshine Law. My recommendation would be to see if the Supervisors would be willing to schedule a special meeting to act solely on this single matter. If they are, I think it would fair to ask BCLCA to pay for the legal notice for that meeting.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Thomas S. Nanovic

TSN:kr
Attachment
cc: Tom Cross
Scott Lignore
Roger Meckes
Christian Bartulovich
Patrick Holland



Tom Nanovic <tsnanovic@gmail.com>

FW: Bear Creek Lakes Grant Application

Dana Vitale <secretary@pennforesttownship.org>
To: "Tom Nanovic (tsnanovic@gmail.com)" <tsnanovic@gmail.com>
Cc: "Roger Meckes (rlm69@ptd.net)" <rlm69@ptd.net>

Fri, May 20, 2022 at 1:53 PM

Hi Tom,

Can you please see below/attached.

Is this something we can do and then ratify at the June Meeting?

Thank you.

Have a wonderful weekend.

Best regards,

Dana Vitale

Penn Forest Township, Secretary

2010 State Route 903

Jim Thorpe, PA 18229

Phone: 570-325-2768

Fax: 570-325-8230

Website: pennforesttownship.org

From: chris haller [mailto:chrishaller3@gmail.com]
Sent: Friday, May 20, 2022 1:02 PM
To: Dana Vitale
Subject: Re: Bear Creek Lakes Grant Application

Dana

Being on the agenda for your June meeting doesn't do us any good. Our grant application deadline is May 31, 2022. If the application, along with letters of endorsement are not in to the DCED by the deadline, then we will not be considered for the grant. We can certainly include the meeting minutes from the December 2021 BOS meeting, but our grant writer told us the actual endorsement letters would be what the DCED is really looking for.

If there is any way even one of the Supervisors (or the 2 Supervisors that publicly supported us at the December meeting - Mr. Bartulovich & Mr. Lignore) could each sign an endorsement letter that I can pick up early next week, it would be greatly appreciated.

Christine R Haller

Board of Directors

Bear Creek Lakes Watershed Conservancy

Bear Creek Lakes Civic Association Inc.

On Fri, May 20, 2022 at 12:43 PM Dana Vitale <secretary@pennforesttownship.org> wrote:

This item is placed on the agenda for the June meeting.

Thank you!

Best regards,

Dana Vitale

Penn Forest Township, Secretary

2010 State Route 903

Jim Thorpe, PA 18229

Phone: 570-325-2768

Fax: 570-325-8230

Website: pennforesttownship.org

From: chris haller [mailto:chrishaller3@gmail.com]

Sent: Friday, May 20, 2022 12:26 PM

To: Dana Vitale

Subject: Bear Creek Lakes Grant Application

Township Supervisors

I stopped by last week to drop off an introductory letter and a sample endorsement letter that Bear Creek Lakes Watershed Conservancy and Bear Creek Lakes Civic Association would like to have some, or all, of the Supervisors of Penn Forest Township sign, in support of our grant application for stormwater mitigation.

I haven't heard anything back from Penn Forest Township yet. Our grant application deadline is the end of this month, and we would really appreciate having these endorsement letters by early next week, so that we can forward them to our grant writer for inclusion. We have the December 2021 BOS meeting minutes indicating that at least 2 Supervisors would support our application, but having the actual letters would be a huge help.

I can stop by the PFT office any time to pick up the letters, if any of the Supervisors are willing to sign them. I've attached the cover letter I originally dropped off last week and another copy of the endorsement letter (this one is already customized for PFT, which would just need separate copies with individual signatures for however many Supervisors are willing to provide a letter. The letters need to come directly to us, not be mailed to the address the letter is addressed to, since they need to be included with the actual grant application.

I can be reached via this email - or on my cell number 484-767-3687.

Thank you for any help you can provide.

Christine R Haller

Board of Directors

Bear Creek Lakes Watershed Conservancy

Bear Creek Lakes Civic Association Inc.

attachments: cover letter and sample support letter

2 attachments

 **Cover Letter for Support Letter Stormwater Project.docx**
44K

 **Support Letter Stormwater Runoff Grant PFT Supervisoors.docx**
14K



BEAR CREEK LAKES WATERSHED CONSERVANCY
for
BEAR CREEK LAKES CIVIC ASSOCIATION INC
57 POOL DRIVE * JIM THORPE PA 18229
570-325-3334

May 10, 2022

Penn Forest Township Supervisors
2010 State Route 903
Jim Thorpe PA 18229

Dear Supervisors:

My name is Christine Haller, and I am representing Bear Creeks Lakes Watershed Conservancy and Bear Creek Lakes Civic Association Inc. We would really appreciate your acknowledgement of support for our grant application to address our stormwater runoff problems. Our grant writer feels that Township support, in writing, would go a long way to helping our community acquire grant money to address this issue. At the December 6, 2021 Board of Supervisors meeting Supervisor Bartulovich said that he was not opposed to helping in this way and that it was definitely worth exploring; and Supervisor Lignore stated "if you can find grants and it won't cost the Township anything then the Township would join you".

All we need from you, in the way of support, is for any, or all, of the Township Supervisors to take the enclosed sample letter and personalize it – and return it to us, so that we can include these letters of support with our grant application. The DCED grant that we are applying for has a submission deadline of May 31, 2022. If your letter(s) could be done and returned to us at least by Monday, May 23, 2022, so that we have time to forward them to our grant writer, that would be a huge help. If you would like me to pick up the letter(s), I would be more than happy to do so.

If any of you have any questions, I would be happy to try and answer them, or connect you with someone who can answer them. I can be reached at the above number, or my cell 484-7676-3687.

Sincerely,

Christine R. Haller
Board of Directors
Bear Creek Lakes Watershed Conservancy
Bear Creek Lakes Civic Association Inc.

May 20, 2022

Mr. Neil Weaver, Acting Director
Mr. Gregory Welker, CFA Programs Division
PA Department of Community and Economic Development
Office of Business Finance and Workforce Development
CFA Programs Division/Flood Mitigation Program
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

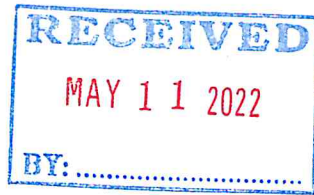
Dear DCED Selection Committee:

This letter of support is for funding for a flood mitigation project in Penn Forest Township, Carbon County, PA. It is being submitted by the Bear Creek Lakes Watershed Conservancy for a 1020 lot homeowners association community where flooding from runoff from the adjacent roadway and abutting parcels is impacting homes, personal property, property values, and the 160-acre lake. The lake is a key feature of that community. Runoff is negatively affecting water quality and routinely contributing sediment to the lake, a key aesthetic and recreational resource. A stormwater management system has been designed and engineered to mitigate these impacts, and Bear Creek Lake Conservancy is seeking implementation funding. This work is being directed by the Bear Creek Lake Civic Association Board of Directors and the Watershed Committee.

This project has been reviewed with the Penn Forest Township Board of Supervisors and identified by the municipality for flood mitigation. The Township has publicly supported the community's efforts to secure grant funds for implementation for the plan.

As a Supervisor of Penn Forest Township, I enthusiastically endorse this application for funding and requests due consideration for awarding the requested grant.

Sincerely,



Term
until
1/24

Dear MS. Vitale

5/9/22

Please Inform the
Board that I have
resigned from the Planning
Committee Due to Health And
Personal reasons.

THANK YOU
William English

06/02/2022



To whom it may concern,

I am writing this to inform you of my resignation with Penn Forest Township.

My last day will be Sunday June 19th, 2022.

Thank you for your employment during this time. I do appreciate all the support I received while employed with the Township.

Sincerely,

Jenna Medelo

A handwritten signature in black ink that reads "Jenna Medelo". The signature is written in a cursive style with a large, flowing "J" and "M".

TREASURER'S REPORT: AS OF 05/31/202			May Toatals	April Totals	DIFFERENCE
MAUCH CHUNK TRUST COMPANY					
GENERAL			\$3,073,645.52	\$2,887,908.22	\$185,737.30
PAYROLL			\$20,774.81	\$16,315.88	\$4,458.93
SANITATION			\$143,317.17	\$158,277.77	-\$14,960.60
SALDO			\$243,303.75	\$242,549.21	\$754.54
SEPTIC			\$350,445.59	\$335,135.34	\$15,310.25
STATE LIQUID FUELS			\$268,004.71	\$267,942.02	\$62.69
DEBIT CARD ACCOUNT			\$3,285.60	\$4,987.11	-\$1,701.51
RENT ACCOUNT			\$74.45	\$74.01	\$0.44
FIRE ESCROW			\$25,620.00	\$25,620.00	\$0.00
AM. RESCUE			\$16.60	\$16.60	\$0.00
			\$4,128,488.20	\$3,938,826.16	\$189,662.04
MAUCH CHUNK TRUST CD'S					
ACCT. ENDING IN:					
1841			\$3,610,941.04	\$3,610,495.91	\$445.13
5851			\$259,467.43	\$259,380.72	\$86.71
1301			\$2,050,426.52	\$2,050,258.01	\$168.51
			\$5,920,834.99	\$5,920,134.64	\$700.35
Balance totals 05/31/2022			\$10,049,323.19	\$9,858,960.80	\$190,362.39
GENERAL BILLS	\$47,011.37				
SANIT. BILLS	\$21,696.90				
SEPT. BILLS	\$19,150.09				
LIQUID BILLS					

9:34 AM

06/01/22

Penn Forest Township Septic Fund
Check Detail
 May 2022

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	10255	05/18/2022	HANOVER ENGINEE...		100.00 - Septic Chec...		-18,388.59
Bill	178308	05/18/2022			429.31 - SEO Professi...	-18,388.59	18,388.59
TOTAL						-18,388.59	18,388.59
Bill Pmt -Check	10256	05/18/2022	HANOVER ENGINEE...		100.00 - Septic Chec...		-316.00
Bill	174346	05/18/2022			429.31 - SEO Professi...	-316.00	316.00
TOTAL						-316.00	316.00
Bill Pmt -Check	10257	05/18/2022	HANOVER ENGINEE...		100.00 - Septic Chec...		-445.50
Bill	177821	05/18/2022			429.31 - SEO Professi...	-344.25	344.25
Bill	177404	05/18/2022			429.31 - SEO Professi...	-101.25	101.25
TOTAL						-445.50	445.50

Total
 @ 19,150.09

PENN FOREST TOWNSHIP-GENERAL FUND
GENERAL ACCT. Check Detail
May 2022

Type	Num	Date	Name	Memo	Paid Amount
Bill Pm...	28388	05/25/2022	PPL ELECTRIC		
Bill	72614...	05/23/2022		Concession Stand	-45.86
Bill	96345...	05/23/2022		Township Park	-195.85
TOTAL					-241.71
Bill Pm...	28389	05/25/2022	TIMES NEWS	ACCT# 10000144	
Bill	10051...	05/19/2022		Special Meeting BOS	-59.95
TOTAL					-59.95
Bill Pm...	28390	05/26/2022	AG-INDUSTRIAL	Invoice # IT71386	
Bill	IT71386	05/26/2022		Switch Igni, Key Ign, Spindle Ass.	-33.88
TOTAL					-33.88
Bill Pm...	EFT	05/27/2022	UNITED CONCORDIA	ACCT# 005A10692000D000	
Bill	17598...	05/15/2022		Invoice # 175981915	-153.12
				Invoice # 175981915	-76.56
				Credit of 76.56 for Uwe Phole	-38.28
TOTAL					-267.96
Bill Pm...	ACH	05/27/2022	GO DADDY	115017994	
Bill		05/27/2022		Internet Fees/Web Design	-13.99
TOTAL					-13.99
Liabilit...	28391	05/31/2022	TEAMSTER'S LOCAL 7...		
TOTAL					-372.00
Bill Pm...	EFT	05/31/2022	HIGHMARK BLUE SHI...	ACCT# 1227020001	
Bill	22051...	05/20/2022		Invoice # 220513148481	-3,085.92
				Invoice # 220513148481	-16.27
				Invoice # 220513148481	-1,543.00
				Invoice # 220513148481	-8.13
				Invoice # 220513148481	-12.20
				Invoice # 220513148481	-2,314.50
TOTAL					-6,980.02

Total
47,011.37

9:28 AM
06/01/22

PFT SANITATION/REFUSE FUND
Check Detail
May 1 through June 1, 2022

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	Transfer	06/01/2022	PFT GENERAL (USE ...		100.00 · Checking (P...		-9,780.27
Bill	May 20...	06/01/2022			427.12 · Transfer Stati...	-6,059.95	6,059.95
					427.181 · Comp. Time...	-31.73	31.73
					427.18 · Trf. Station O...	-244.80	244.80
					427.15 · Salary/Wage...	-1,434.45	1,434.45
					487.10 · Medical Insur...	-1,851.58	1,851.58
					487.30 · Vision Insura...	-9.76	9.76
					487.20 · Dental Insura...	-76.00	76.00
					487.40 · Short Term D...	-72.00	72.00
TOTAL						-9,780.27	9,780.27
Bill Pmt -Check	2505	05/02/2022	PENTELEDATA		100.00 · Checking (P...		-90.95
Bill	B4054...	05/02/2022			427.22 · Computer-Int...	-90.95	90.95
TOTAL						-90.95	90.95
Bill Pmt -Check	2506	05/05/2022	BLUE RIDGE COMM...		100.00 · Checking (P...		-61.62
Bill	031468...	05/05/2022			427.22 · Computer-Int...	-61.62	61.62
TOTAL						-61.62	61.62
Bill Pmt -Check	2507	05/09/2022	BARRY ISETT & ASS...		100.00 · Checking (P...		-280.00
Bill	003120...	05/06/2022			439.45 · Contracted S...	-280.00	280.00
TOTAL						-280.00	280.00
Bill Pmt -Check	2508	05/09/2022	GARY FOLLWEILER		100.00 · Checking (P...		-520.00
Bill	Tires	05/06/2022			426.45 · Recycling Se...	-520.00	520.00
TOTAL						-520.00	520.00
Bill Pmt -Check	2509	05/10/2022	J.P. MASCARO & SO...		100.00 · Checking (P...		-10,092.96
Bill	000060...	05/09/2022			427.45 · Contract Ser...	-10,092.96	10,092.96
TOTAL						-10,092.96	10,092.96
Bill Pmt -Check	2510	05/18/2022	EAGLE EQUIPMENT ...		100.00 · Checking (P...		-871.10
Bill	106538	05/18/2022			427.37 · Repairs and ...	-871.10	871.10
TOTAL						-871.10	871.10

Total
\$21,696.90.

PENN FOREST TOWNSHIP-GENERAL FUND
GENERAL ACCT. Check Detail
May 2022

Type	Num	Date	Name	Memo	Paid Amount
Bill Pm...	28357	05/02/2022	FRY'S PLASTIC	Invoice # K 23449	
Bill	K 23449	04/28/2022		15' ADS N-12 Coupler	-96.54
TOTAL					-96.54
Bill Pm...	28358	05/02/2022	GENERAL CODE	Invoice #c PG000028105	
Bill	PG00...	04/27/2022		Coding Files	-2,759.00
TOTAL					-2,759.00
Bill Pm...	28359	05/02/2022	THOMAS CROSS	PSATS CONVENTION 2022	
Bill	PSAT...	05/05/2022		Lodging \$203 per night, Mileage 200 miles @ 58.5 cents \$11...	-1,125.25
TOTAL					-1,125.25
Bill Pm...	28360	05/02/2022	LOCUST RIDGE	Invoice # 001-B119M0002659	
Bill	001-B...	05/02/2022		Invoice # 001-B119M0002659	-766.23
TOTAL					-766.23
Bill Pm...	28361	05/02/2022	PPL ELECTRIC	63650-34006	
Bill	70397...	05/02/2022		Led Lights	-166.77
TOTAL					-166.77
Bill Pm...	28362	05/02/2022	SHIFFER BITUMINOUS...	Invoice # 4373	
Bill	4373	05/02/2022		April 2022	-812.00
TOTAL					-812.00
Bill Pm...	28363	05/02/2022	STATE WORKERS INS...	POLICY# 06273628	
Bill	06273...	05/02/2022		11 of 11	-1,649.00
TOTAL					-1,649.00
Bill Pm...	EFT	05/05/2022	UNDERDOG COMPUT...	Invoice # 2022068	
Bill	20220...	05/05/2022		Monthly Monitering	-1,075.00
TOTAL					-1,075.00
Bill Pm...	28364	05/05/2022	ALL-POINTS TOWIN, R...	Invoice # 0017387	
Bill	00173...	05/05/2022		Crimpcharge, 4G-6FJX fitting, Megasys 4MXT Hose	-144.02
TOTAL					-144.02
Bill Pm...	28365	05/05/2022	BERKHEIMER TAX AD...	Dist 223	
Bill	Dist 223	04/30/2022		Dist 223	-903.13
TOTAL					-903.13

PENN FOREST TOWNSHIP-GENERAL FUND
GENERAL ACCT. Check Detail
May 2022

Type	Num	Date	Name	Memo	Paid Amount
Bill Pm...	28366	05/05/2022	THE JIM THORPE ROT...	May 2022 Donation	
Bill	May 2...	05/03/2022		Summer Park Program	-1,000.00
TOTAL					-1,000.00
Check	28367	05/06/2022	MIHAKES KARASAVAS		
Credit ...	11	05/06/2022		SHORT TERM RENTAL ZP220285	-50.00
TOTAL					-50.00
Bill Pm...	28368	05/09/2022	903 LANDSCAPE SUP...	Invoice # POS5688	
Bill	POS5...	04/13/2022		Topsoil	-111.17
TOTAL					-111.17
Bill Pm...	28369	05/09/2022	GOTTA GO POTIES, INC	Invoice # 206642	
Bill	206642	05/06/2022		Handicap Unit Rentals	-192.00
TOTAL					-192.00
Bill Pm...	28370	05/09/2022	OAK HOLLOW DESIGNS	Shirts 2022	
Bill	Shirts ...	04/13/2022		Shirts 2022	-909.00
TOTAL					-909.00
Bill Pm...	28371	05/09/2022	SMITH COUNTRY STO...	Invoice # 159828	
Bill	159828	05/06/2022		Shop supplies	-248.18
TOTAL					-248.18
Bill Pm...	28372	05/09/2022	ODP BUSINESS SOLU...	ACCT# - 1402163	
Bill	24032...	05/09/2022		Liquid Soap, Paper Towels	-84.97
TOTAL					-84.97
Bill Pm...	28373	05/10/2022	903 LANDSCAPE SUP...	Invoice # R2248-1	
Bill	R224...	05/03/2022		Damage Waiver, Merry tiller, Rake 16' Asphalt and Stone	-146.44
TOTAL					-146.44
Bill Pm...	28374	05/16/2022	BARRY ISETT & ASSO...		
Bill	01660...	05/11/2022		Conduct pre-bid, prepare and issue bid addenda, cordinate w...	-1,600.00
Bill	01660...	05/11/2022		Salt Shed	-1,500.00
TOTAL					-3,100.00

PENN FOREST TOWNSHIP-GENERAL FUND
GENERAL ACCT. Check Detail
May 2022

Type	Num	Date	Name	Memo	Paid Amount
Bill Pm...	28375	05/16/2022	FRONTLINE GRAPHIX	Invoice # 2016-1327	
Bill	2016-...	05/11/2022		Reflective Stickers, Stay Back and 22-6 numbers	-147.50
TOTAL					-147.50
Bill Pm...	28376	05/16/2022	GREGORY MOUSSEAU	April 2022	
Bill	April 2...	05/11/2022		April 2022	-733.10
TOTAL					-733.10
Bill Pm...	28377	05/16/2022	PENN FOREST GARAGE	Invoice # 11570	
Bill	11570	05/12/2022		Lawn mower battery	-69.90
TOTAL					-69.90
Bill Pm...	28378	05/16/2022	PPL ELECTRIC		
Bill	71448...	05/11/2022		Northbound Lights	-40.29
Bill	86747...	05/11/2022		Southbound Light	-40.40
Bill	63650...	05/11/2022		Municipal Building	-592.26
TOTAL					-672.95
Bill Pm...	28379	05/16/2022	TIMES NEWS	ACCT# 10000144	
Bill	10051...	05/12/2022		Board of Supervisors Workshop	-58.95
TOTAL					-58.95
Bill Pm...	28380	05/16/2022	TULPEHOCKEN SPRIN...	ACCT# - 30288	
Bill	April ...	05/15/2022		Water	-11.74
TOTAL					-11.74
Bill Pm...	28381	05/16/2022	AHNER'S SNOW PLO...	Cinders Winter 2022	
Bill	Cinde...	05/15/2022		Cinders Winter 2022	-2,800.00
TOTAL					-2,800.00
Liabilit...	EFT	05/19/2022	PA DEPT OF REVENUE	24-0863312	
				24-0863312	-441.73
TOTAL					-441.73
Liabilit...	EFT	05/19/2022	UNITED STATES TREA...	24-0863312	
				24-0863312	-1,210.00
				24-0863312	-892.06
				24-0863312	-892.06
				24-0863312	-208.62
				24-0863312	-208.62
TOTAL					-3,411.36

PENN FOREST TOWNSHIP-GENERAL FUND
GENERAL ACCT. Check Detail
May 2022

Type	Num	Date	Name	Memo	Paid Amount
Bill Pm...	ACH	05/23/2022	FIRSTNET	ACCT.# 287294802442	
Bill	April 2...	05/17/2022		April 2022 Road Master Phone	-54.98
TOTAL					-54.98
Bill Pm...	EFT	05/23/2022	WEX BANK	ACCT# 0496-00-196778-5	
Bill	80651...	05/19/2022		April 2022 Fuel	-1,029.19
TOTAL					-1,029.19
Bill Pm...	EFT	05/23/2022	AFLAC	Invoice # 212902	
Bill	212902	05/15/2022		Invoice # 212902	-158.40
				Invoice # 212902	-172.80
				Invoice # 212902	-72.00
TOTAL					-403.20
Bill Pm...	28382	05/25/2022	ACE COURT REPORTI...	Invoice # 00522BOYL	
Bill	00522...	05/19/2022		Kenneth Boyles Hearing	-200.00
TOTAL					-200.00
Bill Pm...	28383	05/25/2022	AG-INDUSTRIAL	Invoice # IT71170	
Bill	IT71170	05/19/2022		Oil Mix Grease	-59.99
TOTAL					-59.99
Bill Pm...	28384	05/25/2022	ALTEK BUSINESS SYS...	Invoice # 235616	
Bill	235616	05/23/2022		Service 05/21/2022-08/20/2022 Printer	-94.98
TOTAL					-94.98
Bill Pm...	28385	05/25/2022	BARRY ISETT & ASSO...	Invoice # 0166735	
Bill	01667...	05/17/2022		April Services 2022	-10,629.64
TOTAL					-10,629.64
Bill Pm...	28386	05/25/2022	BLUE RIDGE COMMU...	ACCT# 0262366-02	
Bill	02623...	05/23/2022		Internet Service	-124.95
TOTAL					-124.95
Bill Pm...	28387	05/25/2022	GENERAL CODE	Invoice # PG000028801	
Bill	PG00...	05/19/2022		Coding	-2,759.00
TOTAL					-2,759.00

PENN FOREST TOWNSHIP

Sewage Enforcement Office

2010 State Route 903, Jim Thorpe, PA 18229

Phone (570) 325-2769

Fax (570) 325-8230

www.pennforesttownship.org/home

RESIDENTIAL AND NON-RESIDENTIAL **SEWAGE DISPOSAL ESCROW/FEE SCHEDULE**

PLEASE MAKE ALL CHECKS OR MONEY ORDERS PAYABLE TO "PENN FOREST TOWNSHIP"

1. SITE EVALUATIONS & PERCOLATION TESTING (NEW SYSTEMS & MAJOR REPAIRS):

Residential Systems (includes soil probes and one (1) 6-hole percolation test)	\$ 650.00 per Lot
Non-residential /Community Systems:	
Soil Probes (includes max. four (4) soil probes)	\$ 250.00 per Lot
Percolation Test (6-hole test)	\$ 400.00 per Lot
Percolation Test (each additional 6-holes)	\$ 100.00
Percolation Test (two (2) 6-hole tests simultaneously)	\$ 500.00

Notes: All applications for testing include a one-time \$75.00 Administrative Fee (non-refundable).

Fees must be submitted before the Township releases the site suitability report and test results.

2. PERMIT APPLICATION FEES (NEW PERMITS):

Residential Applications (includes Holding Tanks)	\$ 300.00 per Lot
Non-residential/Community Applications (includes Holding Tanks)	\$ 300.00 1-2 EDUs
EDU = Equivalent Dwelling Unit = 400 Gallons Per Day (GPD)	\$ 350.00 3-5 EDUs
	\$ 400.00 5+ EDUs

Notes: All permit applications include a \$75.00 Administrative Fee (non-refundable).

Application fee includes design review, stakeout inspection, and permit.

***All new applications shall include applicable fee for installation inspections (see below).*

3. PERMIT APPLICATION FEES (REPAIRS, REDESIGNS, RENEWALS & TRANSFERS):

Applications for Minor Repairs or Redesigns (each occurrence)	\$ 100.00
Applications for Major Repairs or Redesigns (each occurrence)	\$ 250.00
Applications for Permit Renewals or Transfers (each occurrence)	\$ 100.00

Note: Relocations are considered new testing and will require new site evaluation and new application fees.

4. INSTALLATION INSPECTIONS

Residential Installations (Pressurized Systems)	\$ 450.00 per Lot
Residential Installations (Gravity Systems)	\$ 350.00 per Lot
Non-residential/Community Installations	\$ 50.00 plus \$ 100.00 per Insp.
Callback/Re-inspection fee (per occurrence)	\$ 100.00
Verification of Prior Testing /Consultation for Certificates of Occupancy	\$ 150.00 per Lot
SEO Investigations, Inspections, Other Services requested by the Township	\$ 74.00 per hour

5. SUBDIVISION FEES (IN ADDITION TO SITE EVALUATION & PERCOLATION TESTING)

Planning Exemption Form	\$ 100.00 Each
Plan Reviews (Component 1)	\$ 150.00 Per Lot
Plan Reviews (Component 2, 3, and 4)	\$ 300.00 Per Lot
Non Building Waiver Plans (No Inspection Required)	\$ 100.00 Per Lot
Non-Building Waiver Plans (Inspection Required)	\$ 250.00 Per Lot
Substantial Plan Revisions (subsequent to initial review)	\$ 250.00

Notes: All applications include a \$50.00 Administrative Fee (non-refundable).


6. ADMINISTRATIVE FEES

Administrative/Clerical (not including applications)	\$ 45.00 per hour
Returned Check Fee	\$ 50.00

Note: All checks should be made payable to "Penn Forest Township." All fees subject to periodic municipal review and revision.

system; if a call back is required; and, for transfers and renewals of existing permits.

SECTION 12. Fees - Subdivision Permits. Testing for subdivisions of ten (10) or more lots shall be performed by a soil scientist, accompanied by the Township Sewage Enforcement Officer and, if available, a soil scientist from the Department of Environmental Resources. The fee for testing in all subdivisions, regardless of the number of lots, shall be set by resolution.

 SECTION 13. Temporary and Portable Toilets. Toilets which are designed to be of a portable and temporary nature, commonly known as porta-potties, job johnnies, or other similar designation, shall not be permitted to be used in the Township for a period exceeding thirty (30) calendar days without first making application to the Sewage Enforcement Officer on the forms provided for such application which permit may be issued for the use of said portable toilets for a period not to exceed sixty (60) days. After said period has expired, the permit may be renewed by the Sewage Enforcement officer for an additional permit time, as aforementioned, after the applicant has reapplied for the additional time. All of such portable toilets shall be maintained by the applicant with the removal of the waste material from the portable toilet on a weekly basis or as determined by the Sewage Enforcement Officer. A fee, which fee shall be set by resolution, shall be payable to the Township at the time the person

ORDINANCE NO. 94 - 1

AN ORDINANCE OF PENN FOREST TOWNSHIP, CARBON COUNTY, PENNSYLVANIA, PROVIDING FOR THE ADMINISTRATION OF ACT NO. 537 (P.L. 1535) COMMONLY REFERRED TO AS THE PENNSYLVANIA SEWAGE FACILITIES ACT, AS AMENDED; PROVIDING FOR THE APPROVAL AND INSPECTION OF PROPOSED SEWAGE DISPOSAL SYSTEMS; PROVIDING FOR THE APPROVAL AND INSPECTION OF PROPOSED WATER SUPPLY SYSTEMS; SETTING FEES FOR THE APPLICATION FOR SEWAGE PERMITS AND THE ADMINISTRATION OF SAID ACT AND REGULATIONS; PROVIDING FOR THE APPOINTMENT OF A MUNICIPAL SEWAGE ENFORCEMENT OFFICER

WHEREAS, the Pennsylvania Sewage Facilities Act, 35 P.S. Section 750.1 et seq., as amended ("Act") provides that Penn Forest Township ("Penn Forest") shall administer the Act and the rules and regulations promulgated from time to time thereunder by the Department of Environmental Resources ("Regulations"); and

WHEREAS, the Act and the Regulations provide that no person shall install, construct, alter or repair an individual or community sewage disposal system without first obtaining a permit; and

WHEREAS, the Regulations provide for minimum horizontal isolation distances between a treatment tank or absorption area and an individual water supply or water supply system suction line; and

WHEREAS, it is difficult, if not impossible, to comply with the aforementioned minimum horizontal isolation distance regulations without requiring that the location of the individual water supply or

makes application or reapplies to the Sewage Enforcement Officer for said permit.

Notwithstanding the foregoing time restrictions on the use of temporary and portable toilets, permits for the use of such toilets shall be permitted to be issued for a twelve (12) month period for a specific site, renewable annually at the application fee then in effect for the issuance of a temporary or portable toilet permit, to those persons whose business or activity conducted at such site is conducted outdoors and is open to the public; and provided further less than five (5) individuals are employed by such person to supervise or oversee such business or activity at the site and that the toilet facility for which the permit is issued is restricted to use by the employees of such person.

SECTION 14. Obtaining Permit to Install or Construct an Individual Water Supply System or Community Water Supply System When Not in Conjunction with Obtaining a Sewage Permit.

a. It is anticipated that a property owner may desire to install or construct an individual water supply system or community water supply system not in conjunction with an activity which would require obtaining a sewage permit (e.g. replacing an existing individual water supply, providing a water supply for irrigation purposes). In such cases, the Sewage Enforcement Officer shall direct the application to the Board of Supervisors for approval or rejection.

R & D POWERSPORTS LLC
439 State Road
Palmerton, PA 18071-
Phone: (610) 826-2319

Estimate

Due: \$856.10

Doc Number: Estimate
Service Writer: Rocky Kleppinger
Date Printed: 05/17/2022
Date Promised: 05/17/2022
Date In: 05/17/2022

PENN FORREST TOWNSHIP

Customer Information

Cell Phone: 570-657-0868

Unit **2022 HONDA SXS700**
VIN/Serial No:

Color:

Keyboard:

Plate:

Odom/Hrs In:0

Out:0

INSTALL 4 NEW TURF TIRES

Description:

Parts

Part #	Qty	Description	Price	Discount	Total
0319-0039	2.00	0319-0039	\$199.95	(\$38.48)	\$322.94
0319-0040	2.00	TIRE ALL TRAIL 25X10.5-12	\$230.95	(\$43.68)	\$374.54
Parts Subtotal					\$697.48

Labor

Description	Technician	Hours	Total
INSTALL FOUR NEW TIRES		1.2	\$102.00
Labor Subtotal			\$102.00
Job Subtotal			\$799.48

All Jobs Subtotal: \$799.48
Shop Supplies: \$8.16
Tax: \$48.46
Total: \$856.10
Less Deposits: \$0.00
Total Due: \$856.10

Thank you for your business!

Signature: _____



Frantz Electric
4 Deer Trail
Jim Thorpe, PA 18229 US
(570)325-5001
email@frantzelectric.biz
www.frantzelectric.biz

Estimate

ADDRESS

Roger Meckes
Penn Forest Township
2010 State Route 903
JIM THORPE, PA
Pennsylvania
18229

DATE
05/22/2022

TOTAL
\$840.00

EXPIRATION
DATE
06/22/2022

DATE	ACTIVITY	QTY	RATE	AMOUNT
	Labor & Material	1	840.00	840.00
	1- Install 120v - 20a circuit from panel box to 4" sq junction box for exterior lighting at transfer station garage/shop. Armored cable (mc wire) to be used.			
	2- From junction box install 1 exterior photocell DTD controlled area led light.			

Contractor to supply all material for jobs listed.

TOTAL

\$840.00

THANK YOU.

Accepted By

Accepted Date

CHRISTOPHER H. SCHUBERT
chriss@rrhc.com
Extension 216



RILEY RIPER HOLLIN & COLAGRECO
ATTORNEYS AT LAW

May 25, 2022

VIA EMAIL AND
FIRST-CLASS MAIL (mousseau@ptd net)

Gregory L. Mousseau, Esquire
Zoning Hearing Board Solicitor/Penn Forest Township
331 Center Street
Jim Thorpe, PA 18229

RE: Matthew Portnoy and Pennsylvania MSA, LLC v. Penn Forest Township
Zoning Hearing Board - Land Use Appeal
Property located at 586 Stony Mountain Road, Albrightsville, PA

Dear Greg:

Enclosed please find the Land Use Appeal in the above matter, the original of which has been filed with the Carbon County Prothonotary.

Very truly yours,


CHRISTOPHER H. SCHUBERT

CHS/kw
Enclosure

cc: Thomas Nanovic, Esquire (email only)
Bruce Anders, Esquire (email only)
Michael Cataletto (email only)
Roxana Hoffman (email only)
Matthew Portnoy (email only)

Dana Vitale

From: Tom Nanovic <tsnanovic@gmail.com>
Sent: Wednesday, May 25, 2022 2:43 PM
To: Penn Forest Township - Secretary; Roger Meckes; Patrick Holland; Christian Bartulovich; Scott Lignore; Tom Cross; Phillip Prout
Subject: Fwd: Matthew Portnoy and Pennsylvania MSA, LLC v. Penn Forest Township
Attachments: LETTER_Service of LUA on ZHB Solicitor.PDF; LUA_Docket No.22-0870.PDF

Supervisors and Phillip: I received this from Atty. Schubert. As we expected, they appealed the ZHB's decision. This will now go to the Court of Common Pleas (Jim Thorpe). At your next meeting you should approve of me filing a Notice of Intervention so that the Township can participate in this appeal. If you have any questions, please let me know. Tom Nanovic

----- Forwarded message -----

From: **CHRIS S** <chriss@rrhc.com>
Date: Wed, May 25, 2022 at 2:00 PM
Subject: Matthew Portnoy and Pennsylvania MSA, LLC v. Penn Forest Township
To: mousseau@ptd.net <mousseau@ptd.net>
Cc: Bruce Anders <brucekanders@msn.com>, Tom Nanovic <tsnanovic@gmail.com>, Michael Cataletto <MCataletto@scientelsolutions.com>, Roxana Hoffman <rhoffman@scientelsolutions.com>, CHRIS S <chriss@rrhc.com>, Matt port <mudslinger800@gmail.com>

Good afternoon:

Attached please find a copy of correspondence and enclosure from Christopher H. Schubert, Esquire in reference to the above matter. Please contact Chris with any questions.

Thank you.

On behalf of Christopher H. Schubert, Esquire (Chriss@rrhc.com)

Kathleen Weaver

Legal Assistant

Riley Riper Hollin & Colagreco

Attorneys at Law

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

CARBON

County

For Prothonotary Use Only:

Docket No:

22-0870

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

MATTHEW PORTNOY

Lead Defendant's Name:

ZONING HEARING BOARD OF PENN FOREST TOWNSHIP

Are money damages requested? ☐ Yes ☒ No

Dollar Amount Requested: ☐ within arbitration limits
(check one) ☐ outside arbitration limits

Is this a Class Action Suit? ☐ Yes ☒ No

Is this an MDJ Appeal? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Christopher H. Schubert, Esquire / RILEY RIPER HOLLIN & COLAGRECO

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other:

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional:

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other

☐ Employment Dispute:
Discrimination
☐ Employment Dispute: Other

☐ Other:

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:


CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other

- ☒ Zoning Board
☐ Other:

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

Court of Common Pleas of Carbon County		
Civil Cover Sheet		For Prothonotary Use only (Docket Number)
PLAINTIFF'S NAME: Enter names (last, first, middle initial) of plaintiff. If the plaintiff is a government agency or corporation, use the full name of the agency or corporation. In the event there are more than two plaintiffs, list the additional parties on a separate sheet of paper. Husband and wife should be listed as separate parties. MATTHEW PORTNOY, Appellant		DEFENDANT'S NAME: Enter names (last, first, middle initial) of defendant. If the defendant is a government agency or corporation, use the full name of the agency or corporation. In the event there are more than two defendants, list the additional parties on a separate sheet of paper. Husband and wife should be listed as separate parties. ZONING HEARING BOARD OF PENN FOREST TOWNSHIP, Appellee
PLAINTIFF'S ADDRESS & TELEPHONE NUMBER: Enter the address and telephone numbers of the parties at the time of filing of the action. If any party is a corporation, enter the address and telephone number of the registered office of the corporation. 432 Sycamore Ave., Egg Harbor, NJ 08234 Phone c/o: (610) 283-7440		DEFENDANT'S ADDRESS AND TELEPHONE NUMBER: Enter the address and telephone numbers of the parties at the time of filing of the action. If any party is a corporation, enter the address and telephone number of the registered office of the corporation. 2010 State Road 903, Jim Thorpe, PA 18229 Phone: (570) 325-2768
ADDITIONAL PLAINTIFF'S NAME: PENNSYLVANIA MSA LLC		ADDITIONAL DEFENDANT'S NAME:
ADDITIONAL PLAINTIFF'S ADDRESS/ TELEPHONE NO: 2021 N. Eola Road, Aurora, IL 60502 Phone: (630) 401-0053		ADDITIONAL DEFENDANT'S ADDRESS /TELEPHONE NO:
TOTAL NUMBER OF PLAINTIFFS: Indicate the total number of plaintiffs and the total number of defendants in the action. 2		TOTAL NUMBER OF DEFENDANTS: Indicate the total number of plaintiffs and the total number of defendants in the action. 1
STATUTORY BASIS FOR CAUSE OF ACTION If the action is commenced pursuant to statutory authority ("Petition Action"), the specific statute must be cited. Land use appeal pursuant to the Pennsylvania Municipalities Planning Code 53 P.S. Sect. 11002-A (1968, as amended)		
RELATED PENDING CASES: (All previously filed related cases must be identified by docket number. Indicated whether they have been consolidated by Court Order or Stipulation.) -NONE-		
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant. Papers may be served at the address set forth below.		
NAME OF PLAINTIFF'S/APPELLANT'S ATTORNEY: Unrepresented filers must provide their name, address, telephone number and signature. Christopher H. Schubert, Esquire		ADDRESS RILEY RIPER HOLLIN & COLAGRECO 717 Constitution Drive, Suite 201 Exton, PA 19341
PHONE NUMBER (610) 283-7440	SUPREME COURT IDENTIFICATION NUMBER 47475	E-MAIL ADDRESS: chriss@rrhc.com FAX NO. (OPTIONAL - FOR SERVICE): Providing the fax number shall authorize the service of legal papers by facsimile transmission. See Pa.R.CP.440(d) (610) 458-4441
DATE: 5/25/2022		SIGNATURE: 

*Attorneys for Appellants Matthew Portnoy
and Pennsylvania MSA LLC*

: IN THE COURT OF COMMON PLEAS
: OF CARBON COUNTY,
: PENNSYLVANIA

: CIVIL ACTION NO.

[illegible]

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: LAND USE APPEAL

Appellee

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1p

NOV, together, the "Enforcement Notices"). The Enforcement Notices were issued by Philip Prout, the purported zoning officer of Penn Forest Township ("Prout"), against the owner of the property located at 586 Stony Mountain Road, Albrightsville, Carbon County, Pennsylvania, which property is further identified as Parcel No. 23B-51-A9 on the Carbon County Tax Map (the "Property").

2. The Enforcement Notices asserted violations of the Penn Forest Township Zoning Ordinance (the "Zoning Ordinance") for a purported failure to secure approvals for a portable telecommunications facility that had been placed on the subject property. A timely appeal to the Penn Forest Township Zoning Hearing Board followed.

3. On or about April 23, 2021, prior to issuance of the Enforcement Notices, a tenant on the Property, Pennsylvania MSA LLC, completed its placement of a temporary, portable microwave relay link (the "Facility") to provide telecommunications services pursuant to its authority as a public utility company.

The Parties

4. Appellant Matthew Portnoy ("Owner") is the owner of the Property and therefore has a direct, immediate and substantial interest in the instant matter.

5. Appellant Pennsylvania MSA LLC ("PA MSA"), is a Delaware limited liability company, having a business address at 2021 N. Eola Road, Aurora, IL 60502. Owner and PA MSA are together referred to as "Appellants."

6. PA MSA is the assignee of a certain lease agreement dated May 27, 2020, by and between Owner and Scientel Tower Properties LLC ("Scientel") by which Scientel had leased a portion of the Property for its own proposed telecommunications facility. The Scientel lease and

the assignment of lease to PA MSA were made a part of the record of the proceedings before the ZHB.

7. By virtue of the assignment of lease and rights afforded by the underlying lease, PA MSA has a direct, immediate and substantial interest in the instant matter.

8. Appellee is the Zoning Hearing Board of Penn Forest Township, Carbon County, Pennsylvania (the "ZHB" or "Board"), a quasi-judicial body of Penn Forest Township. The Board maintains administrative offices at 2010 State Road 903, Jim Thorpe, Pennsylvania 18229.

9. The Solicitor for Penn Forest Township, Thomas Nanovic, Esquire, entered his appearance before the ZHB on behalf of Penn Forest Township (the "Township") to oppose Appellant's appeal of the Enforcement Notices.

10. Bruce K. Anders, Esquire, entered his appearance before the ZHB on behalf of 23 nearby property owners ("Objectors") to oppose Appellant's appeal of the Enforcement Notices.

Status and Effect of PA MSA as Public Utility

11. Significant to the present matter, PA MSA is a public utility certificated by the Pennsylvania Public Utilities Commission of the Commonwealth of Pennsylvania (the "PUC").

12. On January 5, 2018, PA MSA received provisional authority to offer, render, furnish or supply telecommunications services to the public in the Commonwealth of Pennsylvania as a competitive local exchange carrier (CLEC) in the service territories of Verizon Pennsylvania LLC and statewide as a competitive access provider (CAP), consistent with the PUC's filing requirements as set out in *Re: Implementation of the Telecommunications Act of 1996*, Docket No. M-00960799 (Implementation Order: June 3, 1996; and Implementation Reconsideration Order: September 9, 1996).

13. Subsequent to the hearings and close of the record before the ZHB, PA MSA became fully certificated as a public utility CLEC and CAP by the order of the PUC dated February 24, 2022 (the "PUC Order"). Attached hereto as Appendix "A" is a true and correct copy of the PUC Order.

14. In its brief submitted to the ZHB, Appellants apprised the ZHB of the subsequent issuance of the PUC Order and requested that the ZHB take official notice of the PUC Order pursuant to the authority of *Falasco v. Pennsylvania Board of Probation and Parole*, 104 Pa. Cmwlth. 321, 521 A.2d 991 (1987) ("Official notice" is the administrative counterpart of judicial notice and is the most significant exception to the exclusiveness of the record principle. The doctrine allows an agency to take official notice of facts which are obvious and notorious to an expert in the agency's field and those facts contained in reports and records in the agency's files, in addition to those facts which are obvious and notorious to the average person. Thus, official notice is a broader doctrine than is judicial notice.")

15. The ZHB did not acknowledge the existence, nor did it address the effect, of the PUC Order in its Decision.

16. The Township does not have the power to zone with respect to public utility structures, other than buildings of public utilities. *South Coventry Township v. Philadelphia Electric Co.*, 94 Pa. Cmwlth. 289, 295, 504 A.2d 368 (1986); and see § 619 of the Pennsylvania Municipalities Planning Code ("MPC"), 53 P.S. §10619 (1968, as amended) (which codifies the exemption of public utilities from land use regulations adopted pursuant to the MPC).

17. Section 619 of the MPC has been adopted by the Township and was acknowledged during the hearings before the ZHB to be in effect and part of the Zoning Ordinance. See Zoning Ordinance, § 114.

Issues Raised on Appeal

18. The Decision of the ZHB is arbitrary and capricious, an abuse of discretion, not based upon substantial evidence, an error of law, unsupported by applicable case law and without basis in law or fact for the following reasons:

a. Section 616.1 of the MPC, 53 P.S. §10616.1, sets forth the minimum requirements that the issuing municipality must include in a valid enforcement notice.

b. As an appeal of the Enforcement Notices, the Township had the burden of proof to show that it complied with the requirements of § 616.1 of the MPC, 53 P.S. § 10616.1(d).

c. The validity of the Enforcement Notices must be determined from the four corners of the documents, and extrinsic evidence is irrelevant and immaterial. *Twp. of Lower Milford v. Britt*, 799 A.2d 965, 971 (Pa. Cmwlth. 2002) (“[T]he validity of [an enforcement] notice must be determined from the four corners of the document, and extrinsic evidence is irrelevant and immaterial”).

d. The SWO is moot, since the Facility was already in place and in use at the time of issuance of the SWO.

e. The NOV fails to provide a date certain before which steps for Owner’s compliance must be completed.

f. Since the NOV fails to provide a date certain before which steps for Owner’s compliance must be completed, the NOV is ineffective by operation of law. See *Township of Robinson v. Esposito*, 210 A.3d 1146, 1150 (Pa. Cmwlth. 2019) (enforcement notice ineffective which fails to provide a date before which steps for compliance must be commenced

or the date before which such steps must be completed, as required by the MPC). *See also*, 53 P.S. § 10616.1(c)(4).

g. The Zoning Ordinance establishes the *Township* as the entity responsible for initiating enforcement actions. *See Zoning Ordinance*, § 106.B (providing that, “The Township shall initiate enforcement proceedings by sending an enforcement notice as provided in Section 616.1 of the Pennsylvania Municipalities Planning Code”).

h. While Prout issued the Enforcement Notices, he is not an employee of the Township, but is rather an employee of a third-party company, Barry Isett & Associates.

i. The Township failed to meet its burden of proof to show, through best evidence, that Prout had the delegated authority through Barry Isett & Associates to act on behalf of the Township to issue the Enforcement Notices.

j. As established during the hearings and the PUC Order (Appendix “A” hereto), PA MSA is a certificated public utility of the Commonwealth of Pennsylvania.

k. The Township does not have the power to zone with respect to public utility structures, other than buildings of public utilities. *South Coventry Township v. Philadelphia Electric Co.*, 94 Pa. Cmwlth. 289, 295, 504 A.2d 368 (1986); *and see* 53 P.S. §10619 (which codifies the exemption of public utilities from land use regulations adopted pursuant to the MPC).

l. The Facility is not a “building” as defined by the Township’s Zoning Ordinance.

m. Furthermore, any authority which PA MSA has as a regulated public utility of the PUC is not subject to collateral attack by the Township or Objectors, nor is it subject to contrary findings by the ZHB. *See Aitkenhead v. Borough of West View*, 65

Pa.Cmwlt. 213, 442 A.2d 364, 367 n. 5 (1982) (“[T]he administrative system of this Commonwealth would be thrown into chaos if we were to hold that agency decisions, reviewable by law by the Commonwealth Court, are also susceptible to collateral attack [in the lower courts]”).

n. PA MSA was not required to secure a zoning permit or conditional use approval from the Township for the Facility due to its status as a provisional public utility of the Commonwealth of Pennsylvania.

o. PA MSA is not required to secure a zoning permit or conditional use approval from the Township for the Facility due to its status as a certificated public utility of the Commonwealth of Pennsylvania.

p. In accordance with the foregoing, certain findings of fact and conclusions of law contained in the Decision are not supported by substantial evidence and constitute an abuse of the ZHB's discretion and error of law.

q. The ZHB improperly applied § 106.A.1 of the Zoning Ordinance to conclude that issuance of a zoning permit was required prior to establishment of the Facility on the Property. On the contrary, as a public utility of the Commonwealth of Pennsylvania, PA MSA was and is not required to secure a zoning permit from the Township for its Facility.

r. The ZHB improperly applied § 306.B.1.b of the Zoning Ordinance to conclude that conditional use approval was required prior to establishment of the Facility on the Property. On the contrary, as a public utility of the Commonwealth of Pennsylvania, PA MSA is and was not required to secure conditional use approval from the Township for its Facility.

s. The ZHB improperly applied § 802.B.2 of the Zoning Ordinance and concluded that the Facility is a second principal use on the Property in violation of the Zoning

Ordinance. On the contrary, the Facility is owned and operated by PA MSA, a public utility of the Commonwealth of Pennsylvania, and does not constitute a second principal use of the Property at law.

t. The ZHB improperly interpreted the Zoning Ordinance in a manner which impermissibly restricts the use of the Property contrary to the MPC and applicable case law which requires that undefined and ambiguous terms of a zoning ordinance be construed broadly in favor of the Appellants and the least restrictive use of the Property.

u. In accordance with the foregoing, the Enforcements Notices have no force or effect at law.

v. Upon information and belief, the ZHB improperly considered issues irrelevant to the appeal and improperly prejudged the merits of the appeal.

19. The Township and Objectors failed to set forth any credible evidence during the hearings to establish that the Facility creates any adverse impact on the health, safety and welfare of off-site property owners.

20. For the reasons set forth above, the Decision is improper, an error of law and abuse of discretion not supported by substantial evidence and contrary to the evidence of record.

21. For the reasons set forth above, the Decision is not based on valid, lawful criteria for the use as mandated by law and/or is subjective in nature.

22. For the reasons set forth above, the Decision is unsupported by well-established case law.

23. Appellants hereby reserves the right to supplement this land use appeal and to petition the Court pursuant to 53 P.S. § 11005-A to hold a hearing or retain a referee to receive additional evidence since the proper consideration of the land use appeal may require the

presentation of additional evidence (including on the issues of PA MSA's status as a certificated public utility of the Commonwealth of Pennsylvania, and the Township's application of the principal use provision which has not been applied to other landowners, including numerous properties with telecommunication towers in residential districts containing existing uses and on homeowners association properties within residential districts which contain multiple uses).

(REQUESTS FOR RELIEF FOLLOW ON NEXT PAGE)

WHEREFORE, Appellants respectfully requests that this Honorable Court:

a. Reverse the Decision of the Zoning Hearing Board of Penn Forest Township, thereby sustaining the appeal of Appellants to strike the Enforcement Notices and to allow the continued use of the Facility on the Property by PA MSA;

b. Issue declaratory relief to recognize the authority of PA MSA to continue to use and operate the Facility on the Property as a certificated public utility of the Commonwealth of Pennsylvania, without obligation to secure further approvals from the Township;

c. Take judicial notice of the PUC Order as an order of an agency of the Commonwealth issued subsequent to the close of hearings before the ZHB. *See Levin v. Bd. of Supervisors of Benner Tp.*, 669 A.2d 1063, 1074-75 (Pa. Cmwlth. 1995), *citing Givnish v. State Bd. of Funeral Directors*, 134 Pa. Cmlwth 146, 578 A.2d 545, 548 (1990); and

d. Retain jurisdiction over this matter to ensure that any Order by this Court is adhered to and grant such other further relief as this Court may deem appropriate, including assessment of costs, expenses and reasonable attorney fees against the Township.

Respectfully submitted,

RILEY RIPER HOLLIN & COLAGRECO

Date: 5/25/2022

By: 

Christopher H. Schubert, Esquire
Attorneys for Appellants
Matthew Portnoy and
Pennsylvania MSA LLC

RILEY RIPER HOLLIN & COLAGRECO
Christopher H. Schubert, Esquire
Attorney I.D. No. 47475
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Exton, PA 19341
(610) 458-4400

*Attorneys for Appellants Matthew Portnoy
and Pennsylvania MSA LLC*

IN RE: LAND USE APPEAL OF MATTHEW
PORTNOY and PENNSYLVANIA MSA LLC
FROM THE DECISION OF THE ZONING
HEARING BOARD OF PENN FOREST
TOWNSHIP

MATTHEW PORTNOY and
PENNSYLVANIA MSA, LLC
Appellants

v.

ZONING HEARING BOARD OF PENN
FOREST TOWNSHIP
Appellee

: IN THE COURT OF COMMON PLEAS
: OF CARBON COUNTY,
: PENNSYLVANIA
:
: CIVIL ACTION NO.

: LAND USE APPEAL

CERTIFICATE OF SERVICE

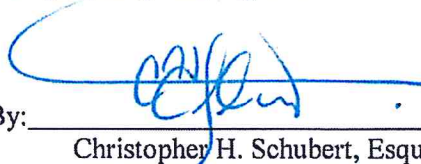
The undersigned hereby certifies that a true and correct copy of the Land Use Appeal of Appellants, Matthew Portnoy and Pennsylvania MSA LLC, was caused to be served via First Class mail, postage prepaid by the undersigned, to the following on May 25, 2022:

Gregory L. Mousseau, Esquire
Attorney-at-Law
331 Center Street
Jim Thorpe, PA 18229
Counsel for Appellee Penn Forest Township Zoning Hearing Board

Date:

5/25/2022

By:



Christopher H. Schubert, Esquire
*Attorneys for Appellants
Matthew Portnoy and
Pennsylvania MSA LLC*

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held February 24, 2022

Commissioners Present:

Gladys Brown Dutrieuille, Chairman
John F. Coleman, Jr., Vice Chairman
Ralph V. Yanora

Application of Pennsylvania MSA LLC for Approval to Offer, Render, A-2017-2607866
Furnish, or Supply Telecommunications Services to the Public in the
Commonwealth of Pennsylvania as a Competitive Local Exchange Carrier
in the service territories of: Verizon Pennsylvania LLC; Verizon North
LLC; Windstream Pennsylvania LLC; Commonwealth Telephone
Company d/b/a Frontier Communications Commonwealth Telephone
Company; Consolidated Communications of Pennsylvania Company; and
The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink

Application of Pennsylvania MSA LLC for Approval to Offer, Render, A-2017-2607867
Furnish, or Supply Telecommunications Services to the Public in the
Commonwealth of Pennsylvania as a Competitive Access Provider

ORDER

BY THE COMMISSION:

On May 22, 2017, Pennsylvania MSA LLC (Applicant or MSA) filed an Application seeking Certificates of Public Convenience under our orders issued pursuant to the Telecommunications Act of 1996, 47 U.S.C. §§ 201 *et seq.*, (TA-96)¹ and to Chapter 11 of the Public Utility Code (Code) (66 Pa.C.S. §§ 1101 *et seq.*) evidencing authority to provide the following telecommunication services to the public:

- (1) As a Competitive Local Exchange Carrier (CLEC) in the service territories of Verizon Pennsylvania LLC; Verizon North LLC; Windstream Pennsylvania LLC; Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company; Consolidated Communications of Pennsylvania Company; and The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink within the Commonwealth of Pennsylvania; and

¹ In light of the policy objectives of TA-96, market entry requirements for telecommunication service providers are set out in *In Re: Implementation of the Telecommunications Act of 1996*, Docket No. M-00960799 (Order entered June 3, 1996; Order on Reconsideration entered September 9, 1996) (*TA-96 Implementation Orders*).

- (2) As a Competitive Access Provider (CAP) throughout the Commonwealth of Pennsylvania.

The Applicant was granted provisional authority pursuant to our Secretarial Letter of January 5, 2018, to provide the proposed CAP services and CLEC services in the service territories of Verizon Pennsylvania LLC and Verizon North LLC pursuant to its proposed tariffs during the pendency of the application process. The assigned utility code is 3119952.

In its Application, MSA informs that it intends to provide interconnected telecommunications services to commercial customers that have a need to transmit large amounts of data. To provide service, the MSA alleges that it will employ dedicated facilities that it will own or lease, and which MSA will operate, to deliver communications connectivity. MSA provides that its facilities will include both FCC-licensed microwave transmission facilities and fiber-optic cable capacity and that it will interconnect with other local exchange carriers to provide its customers with access to other end users throughout the public switched telephone network.

Initially, MSA expects that its principal customers will be large multi-office business enterprises, state and local government agencies, and higher education institutions that require advanced, high-capacity networked data connections. The capabilities of the proposed network are readily expandable to provide both voice and videoconferencing capability as MSA expands its business.

The Applicant complied with notice requirements set forth in our *TA-96 Implementation Orders* by serving a copy of its Application upon the aforementioned incumbent local exchange carriers (ILECs), the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Attorney General. As required by 52 Pa. Code § 5.14, notice of the Application was published in the *Pennsylvania Bulletin*.² The protest period for this Application expired February 5, 2018. The Applicant was granted a waiver concerning publishing notice of its Application in newspapers of general circulation. No protests or petitions to intervene were filed and no hearings were held.

² See 48 Pa. B. 584 (January 20, 2018).

Information concerning the Applicant is as follows:

- The Applicant is incorporated in Delaware with its principal place of business at 948 Springer Drive, Lombard, IL 60148, telephone (630) 652-3800, facsimile (630) 652-3805.
- The Applicant complied with Pennsylvania Law relating to a foreign limited liability company.
- The Applicant's registered office provider within Pennsylvania is CT Corporation Systems, 116 Pine Street, Suite 320, Harrisburg, PA 17101.
- The Applicant's Pennsylvania Emergency Management Agency contact is Nelson C. Santos, President, at company headquarters, telephone (630) 652-3800, facsimile (630) 652-3805.
- Correspondence to resolve complaints may be directed to Nelson C. Santos, President, at company headquarters, telephone (630) 652-3800, facsimile (630) 652-3805.
- The Applicant will not be using a fictitious name.
- The Applicant is not operating as a public utility in other states.
- The Applicant has no affiliates or predecessors rendering public utility service outside Pennsylvania.
- The Applicant has one affiliate, Scientel Wireless LLC, and one predecessor, Scientel Solutions LLC, within Pennsylvania. Neither entity is a jurisdictional public utility.

The Applicant understands that if it plans to cease doing business within the Commonwealth of Pennsylvania, it is under a duty to request authority from the Commission for permission prior to ceasing such operations.

The Applicant plans to provide services to business customers. The Applicant will interconnect to other local exchange carriers to provide customers with access to other end users throughout the public switched telephone network. The Applicant also proposes to offer dedicated point to point services.

Issues affecting CLECs have been addressed in a number of Commission proceedings.³ A CLEC applicant is expected to adhere to the requirements relative to universal service programs, as initially set forth or as subsequently enlarged or modified.⁴ Also, per federal rules, CLECs are required to ensure the efficient usage of their numbering resources and are required to semi-annually report their utilization and forecast data to the North American Numbering Plan Administrator. *See* 47 C.F.R. §§ 52.5 *et seq.* Any CLEC failing to comply with state and/or federal orders related to numbering may be subject to the reclamation of their numbering resources as well as fines pursuant to the Public Utility Code, 66 Pa.C.S. § 3301. *See Implementation of Numbering Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000 – NXX Code Reclamation*, Docket No. M-00001373 (Order entered August 22, 2000), 30 *Pa.B.* 4701 (Commission established process for reclaiming NXX codes from carriers that have failed to activate them within six months of their availability for assignment to customers).

Further, Section 253(b) of TA-96 permits a state Commission to impose, on a competitively-neutral basis and consistent with universal service provisions, requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers. In response, we articulated explicit concerns relative to an applicant's financial fitness, tariff compliance, and rates.⁵ In this case, the Applicant has provided financial information to support its Application. We conclude that the Applicant has demonstrated that it is financially capable of providing telecommunications services as a CLEC and as a CAP.

Applicants are also required to be technically and managerially capable of providing public utility service. In the notarized affidavit in the Application, the Applicant swears and

³ *See, e.g., MFS Intelenet et al.* Docket Nos. A-310203F0002 *et al.*, (Orders entered October 4, 1995; July 31, 1996; and August 7, 1997); *Pa. PUC v. Bell*, Docket No. R-00963578 (Order entered February 6, 1997); *Pa. PUC v. GTE*, Docket No. R-00963666 (Order entered May 9, 2002); *Joint Petition of Nextlink Pennsylvania, Inc. et al.*, Docket Nos. P-00991648 and P-00991649 (Order entered September 30, 1999), *aff'd sub nom. Bell Atlantic-Pennsylvania, Inc. v. Pa. PUC*, 763 A.2d 440 (Pa. Cmwlth 2000), *vacated in part sub nom. MCI Worldcom Inc. v. Pa. PUC*, 844 A.2d 1239 (Pa. 2004) (state court lacked jurisdiction to review unbundled network elements) (*Global Order*); as well as other proceedings.

⁴ *See Universal Service Investigation*, Docket No. I-00940035 (Order entered January 28, 1997).

⁵ *See Application of Blue Ribbon Rentals II, Inc., d/b/a Talk One America, for Authority to Begin to Offer, Render, Furnish, or Supply Competitive Local Exchange Telecommunication Services to the Public in the Commonwealth of Pennsylvania*, Docket No. A-310442 (Orders entered April 25 and August 4, 1997).

affirms its ability and commitment to providing the proposed services in full compliance with all provisions of Pennsylvania and federal law. Additionally, we again note that no entities contested the fitness of the Applicant. We therefore conclude that the Applicant has sufficiently demonstrated that it possesses the requisite technical and managerial fitness elements to provide the proposed services.

The Commission requires that applicants seeking to provide local telecommunications services in Pennsylvania take steps to protect the public safety of consumers. One means of ensuring the public safety of consumers in the increasingly competitive telecommunications marketplace is to ensure that new entrants provide their consumers with access to a seamless communications infrastructure for emergency services, such as 911. Therefore, in accordance with the notarized affidavit (item #22 in the Application), the Applicant avers that it has contacted by certified letter each county or municipal authority where it intends to provide CLEC telecommunications services and made the necessary arrangements for the provisioning of emergency 911 service.

We conclude that the Applicant has met the requirements for certification as a CLEC and as a CAP, consistent with this Order. Premised upon our review of the Application and the proposed tariffs, and consistent with our Orders, the Code, our regulations and TA-96, we conclude that the Applicant's proposed services do not raise concerns at this time regarding safety, adequacy, reliability or privacy. We note, however, deficiencies in the proposed tariffs.

We shall direct the Applicant to revise the proposed tariffs in accordance with the changes noted in Appendix A of this Order.⁶ The Applicant shall thereafter file its Initial Tariffs reflecting the requested changes on or before sixty days from the date of entry of this Order. The Applicant may file its Initial Tariffs electronically, consistent with Commission rules.⁷ Copies of the Initial Tariffs shall also be served upon the same entities receiving service of the original Application, including the ILECs. If the time required for such resolution and filing exceeds sixty days, the Applicant may request an extension of an additional sixty days with the Commission's Secretary. Thus, if the Initial Tariffs are not filed within sixty days (120 days

⁶ Regardless of the review process, any tariff provision(s) inconsistent with the provisions of the Code, TA-96, our regulations, or Orders will be deemed inoperative and superseded.

⁷ See *Final Rulemaking to Permit Electronic Filing*, Docket No. L-00070187 (Order entered May 23, 2008).

including the extension) of the entry of this Order, the Application will be dismissed and the authority granted herein will be revoked without further Commission Order.

We note that the Commission will only approve tariff provisions regarding limitation of liability consistent with law. Any tariff provisions contained in the Initial Tariffs regarding limitation of liability inconsistent with any applicable laws, rules and regulations will be deemed inoperative and superseded.

To the extent that the proposed tariffs contain rates, the Initial Tariffs may become effective on one day's notice from the date upon which they are filed and served.

In addition, we note that no switched access tariff accompanied the instant Application. Therefore, the Applicant is not permitted to apply access charges, e.g., originating and terminating access billed to interexchange carriers.

Carriers are required to provide telecommunications service to customers in Pennsylvania within one year of certification.⁸

In accordance with the affidavit that accompanied the application for a Certificate of Public Convenience, the Applicant has agreed to abide by all applicable federal and state laws and regulations and by the decisions of the Commission. We remind the Applicant that, in accordance with our *TA-96 Implementation Orders*, a public utility that seeks Commission certification or that is certificated in Pennsylvania to provide telecommunications service, as defined by state and federal law, must provide the service in full compliance with all applicable provisions of Pennsylvania and federal law. This includes compliance with Section 1511 of Pennsylvania's Business Corporation Law, 15 Pa.C.S. § 1511,⁹ when siting facilities/equipment

⁸ For complete details regarding this requirement, including consequences for non-compliance, see *Final Order Regarding the Commission's Plan to Implement a One-Year Timeframe for Inactive Telecommunication Carriers to Provide Service on an Annual Basis within the Commonwealth of Pennsylvania*, Docket No. M-2011-2273119 (Order entered July 19, 2012).

⁹ 15 Pa.C.S. § 1511(e) provides as follows: "A public utility corporation shall have the right to enter upon and occupy streets, highways, waters and other public ways and places for one or more of the principal purposes specified in subsection (a) and ancillary purposes reasonably necessary or appropriate for the accomplishment of the principal purposes, including the placement, maintenance and removal of aerial, surface and subsurface public utility facilities thereon or therein. Before entering upon any street, highway or other public way, the public utility corporation shall obtain such permits as may be required by law and shall comply with the lawful and reasonable regulations of the governmental authority having responsibility for the maintenance thereof."

in public rights-of-way. Failure to comply with applicable law may result in fines being imposed against a public utility or in the suspension or revocation of the utility's Certificate of Public Convenience, consistent with due process.

We remind the Applicant that certificated public utilities in Pennsylvania are required to file with the Commission an accurate annual financial report and an accurate separate statement of gross intrastate (wholesale and retail) revenues for fiscal assessment purposes, as received from operations conducted pursuant to the authority granted by the Commission's certification order.¹⁰ This requirement includes filing an accurate and separate statement of gross intrastate revenues from jurisdictional CAP services offered in Pennsylvania. We note that the Applicant's business plan in Pennsylvania includes serving customers as an unregulated ISP while also serving customers as a regulated CAP. Therefore, to the extent the Applicant provides both jurisdictional CAP and non-jurisdictional ISP services in Pennsylvania, the Applicant is required to accurately and separately account for and report to the Commission its jurisdictional revenues related to the CAP portion of its business. Additional reporting of intrastate retail revenues is also required for the purpose of Pennsylvania Universal Service Fund contribution assessments. Failure to comply with applicable reporting requirements may result in billing for back payments due and the imposition of fines and/or other lawful remedies, including revocation of certification, consistent with due process.

Conclusion

Accordingly, consistent with the aforementioned statutory criteria in the Code and also with our Orders, our regulations, and TA-96, we shall grant the Application. Upon the approval of the Initial Tariffs, Certificates of Public Convenience shall be issued evidencing the Applicant's authority to provide services as a CAP throughout the Commonwealth of Pennsylvania and as a CLEC in the service territories of Verizon Pennsylvania LLC; Verizon North LLC; Windstream Pennsylvania LLC; Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company; Consolidated Communications of Pennsylvania Company; and The United Telephone Company of Pennsylvania LLC d/b/a

¹⁰ See 66 Pa.C.S. § 510(b); *see also* 52 Pa. Code §§ 63.31 *et seq.* We note that flexibility for the Applicant's system of accounts is provided by our own annual reporting regulations for competitive local exchange carriers that the Applicant may also utilize. *See generally* 52 Pa. Code §§ 63.31(3) and 63.32(c).

CenturyLink within the Commonwealth of Pennsylvania, consistent with this Order, our decisions cited herein, and such other proceedings; **THEREFORE,**

IT IS ORDERED:

1. That the Application of Pennsylvania MSA LLC at Docket No. A-2017-2607866 for authority to operate as a Competitive Local Exchange Carrier within the service territories of Verizon Pennsylvania LLC; Verizon North LLC; Windstream Pennsylvania LLC; Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company; Consolidated Communications of Pennsylvania Company; and The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink within the Commonwealth of Pennsylvania is granted, consistent with this Order.

2. That the Application of Pennsylvania MSA LLC at Docket No. A-2017-2607867 for authority to operate as a Competitive Access Provider throughout the Commonwealth of Pennsylvania, is granted, consistent with this Order.

3. That Pennsylvania MSA LLC shall either eFile or submit an original copy of its Initial Tariffs consistent with the requisite changes noted in Appendix A of this Order within sixty (60) days (120 days including an approved extension) after the date of entry of this Order. **Pennsylvania MSA LLC is directed to identify any changes made to the proposed Initial Tariffs that are in addition to the changes noted in Appendix A.** Pennsylvania MSA LLC shall serve copies of its Initial Tariffs on each entity receiving a copy of the original Application. The Initial Tariffs may become effective on or after one (1) day's notice from the date upon which they are filed and served.

4. That an Initial Tariff shall be labeled on its face according to the respective authority: "Competitive Local Exchange Carrier Tariff" or "Competitive Access Provider Tariff."

5. That Pennsylvania MSA LLC shall comply with all the provisions of the Public Utility Code, as now exist or as may be hereafter amended, and with all pertinent rules, regulations, and Orders of this Commission, now in effect or as may be prescribed by this Commission, including those identified in this Order.

6. That if Pennsylvania MSA LLC should desire to expand its service territory to that of additional incumbent local exchange carriers, Pennsylvania MSA LLC shall file an Application to amend its Certificate of Public Convenience and comply with all the requirements of the Application, including the completion of the affidavit and requirements thereto concerning Emergency 911 service.

7. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to Pennsylvania MSA LLC, shall not be construed as conferring more than one operating right to Pennsylvania MSA LLC.

8. That Pennsylvania MSA LLC shall maintain accurate accounting records that properly classify and segment its Competitive Local Exchange Carrier and Competitive Access Provider revenues from its operations within the Commonwealth and file with the Commission an accurate annual financial report and an accurate separate statement of gross intrastate (wholesale and retail) revenues for fiscal assessment purposes.

9. That Pennsylvania MSA LLC shall maintain accurate accounting records that properly classify and segment its gross retail intrastate revenues for purposes of the Pennsylvania Universal Service Fund contribution assessment report.

10. That in accordance with Commission Orders entered on October 5, 2005, at Docket No. M-00041857 and on August 21, 2006, at Docket No. L-00050176, Pennsylvania MSA LLC shall follow the reporting requirements outlined at the following website:
www.puc.pa.gov/telecom/docs/Reporting_Requirements.docx.

11. That Pennsylvania MSA LLC shall file such affiliated interest agreements as may be necessary relative to any transactions with affiliates within thirty (30) days of entry of this Order.

12. That Pennsylvania MSA LLC shall make 711 abbreviated dialing available to access Telecommunications Relay Service and to arrange its switching equipment to translate these calls to the assigned toll-free number, (888) 895-1197, in order to route calls to the Telecommunications Relay Service Provider, in accordance with the Commission's Order entered on February 4, 2000, at Docket No. M-00900239.

13. That in the event that Pennsylvania MSA LLC has not, on or before sixty (60) days (120 days including an approved extension) from the date of entry of this Order, complied with the requirements set forth herein, the Application at Docket Nos. A-2017-2607866 and A-2017-2607867 shall be dismissed and the authority granted herein revoked without further Commission Order.

14. That upon the approval of the Initial Tariffs, Certificates of Public Convenience shall be issued authorizing Pennsylvania MSA LLC to furnish services as a Competitive Local Exchange Carrier within the service territories of Verizon Pennsylvania LLC; Verizon North LLC; Windstream Pennsylvania LLC; Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company; Consolidated Communications of Pennsylvania Company; and The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink, and to furnish services as a Competitive Access Provider throughout the Commonwealth of Pennsylvania, consistent with this Order.

15. That changes and/or additions made to an approved, filed tariff shall be made in the form of supplements, consecutively numbered in the order of their filing dates, and the tariff designation shall be in the following manner: Supplement No. __ to Tariff Telephone Pa. P.U.C. No. ____.

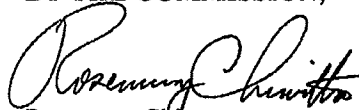
16. That Pennsylvania MSA LLC shall add its Pennsylvania tariffs to its website within thirty (30) days of the filing of its Initial Tariffs and mark them "Pending." Within thirty (30) days of receipt of its Certificate of Public Convenience, Pennsylvania MSA LLC shall make any required modifications to the tariffs on its website and remove the "Pending" notation. Thereafter, Pennsylvania MSA LLC will continually update the website whenever any supplemental revisions to the tariffs are approved by the Commission such that the website tariff is a true and accurate representation of its tariff on file with the Commission.

17. That within thirty (30) days of receipt of its Certificate of Public Convenience, Pennsylvania MSA LLC shall contact Cyndi Page ((717) 787-5722; cypage@pa.gov) of the Commission's Office of Communications to create a link from the Commission's website to Pennsylvania MSA LLC's website.

18. That if Pennsylvania MSA LLC plans to cease doing business within the Commonwealth of Pennsylvania, it shall request authority from the Commission for permission prior to ceasing.

19. That a copy of this Order be served on the Pennsylvania Department of Revenue, Bureau of Registration and Taxpayer Management and the Pennsylvania Emergency Management Agency Bureau of 9-1-1 Programs.

BY THE COMMISSION,


Rosemary Chavetta
Secretary

(SEAL)

ORDER ADOPTED: February 24, 2022

ORDER ENTERED: February 24, 2022

APPENDIX A

Pennsylvania MSA LLC
Docket Nos. A-2017-2607866 and A-2017-2607867
Proposed tariffs for Competitive Local Exchange Carrier Service and
Competitive Access Provider

The proposed tariffs contain certain deficiencies that must be addressed by the Applicant before the tariffs can be approved and the Certificates of Public Convenience issued. **The Applicant must submit a copy of this Appendix with its revised compliance tariffs. On that copy, please note the page/sheet of the compliance tariffs where the required revision is located for each item below.**

Tariff deficiencies noted – CLEC Local Tariff (A-2017-2607866), Tariff No. 2

1. Correct the Title to read:

PENNSYLVANIA MSA LLC
COMPETITIVE LOCAL EXCHANGE CARRIER
Regulations and Schedule of Charges

2. Add the following text to the Title Page:

- The Company will mirror the exchange area boundaries as stated in the tariffs of Verizon Pennsylvania LLC Telephone Pa. P.U.C. Nos. 180A, 182, 182A, 185B and 185C; Verizon North LLC Telephone Pa P.U.C. Nos. 1, 3, 5, and 6; The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink P.U.C. No. 27; Consolidated Communications of Pennsylvania Company Tariff No. 11; Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company Tariff No. 24; and Windstream Pennsylvania, LLC Tariff No. 7.

3. All Pages: Enter issued and effective dates as per ordering paragraph.
4. Original Page 23, Section 2.4.2.D: Remove or revise this section to comply with 52 Pa. Code § 53.82.
5. Original Page 25, Section 2.4.5.B: Remove or revise to comply with 52 Pa. Code § 53.84.
6. Original Page 32, Section 2.9.5: Remove or revise to comply with 52 Pa. Code § 64.61-111.
7. Original Page 33, Section 2.10: Remove or revise to comply with 52 Pa. Code § 63.24.
8. Original Page 37, Section 2.13: Add the address of the Commission's Bureau of Consumer Services. (PUC, Bureau of Consumer Services, P.O. Box 3265, Harrisburg, PA 17105-3265)
9. Original Page 62, Section 7.3: Revise language to accurately reflect Pennsylvania Act 12 of 2015. Note the uniform 911 surcharge fee is \$1.65. Please see the following link from PEMA for additional reference; <https://www.pema.pa.gov/der-Information.asp>.
10. Original Page 66, Section 7.4.1: Update the TRS rate. The most recent order can be found here: [Monthly Remittance and Annual Reporting by Telcos | PA PUC](#)

11. Section 10: Add the calling areas to the tariff for all ILEC territories in which Pennsylvania MSA LLC plans to do business.

Tariff deficiencies noted – CAP (A-2017-2607867) Tariff No. 1

1. All Pages: Enter issued and effective dates as per ordering paragraph.
2. Original Sheet 20, Section 3.12.2.E: Revise to follow 52 Pa. Code § 53.84.
3. Original Sheet 20, Section 3.12.2.F: Revise so the interest rates match in both tariffs.
4. Original Sheets 31 & 32: The limitations of liability tariff provisions should be generally consistent with the Commission's relevant Policy Statement at 52 Pa. Code § 69.87 and the Commission Order under Docket No. M-00981209.
5. Original Sheet 44, Section 5.1.2: This sentence refers to Section 6.1.1 but the tariff does not contain such a section. Revise to the correct reference and add the additional costs that have been added.
6. Original Sheet 44, Section 5.1.2.F: Remove this section or add specific rates to the tariff.

Dana Vitale

From: Rlmeckes <rlm69@ptd.net>
Sent: Thursday, June 2, 2022 2:39 PM
To: Dana Vitale
Subject: Fwd: Penn Forest Township Letter of Request

Begin forwarded message:

From: "Haskins, Thomas R." <thaskins@pa.gov>
Date: June 2, 2022 at 9:39:56 AM EDT
To: rlm69@ptd.net
Cc: "Lubinsky, Albert" <alubinsky@pa.gov>, "Herrmann, Derrick" <deherrmann@pa.gov>
Subject: RE: Penn Forest Township Letter of Request

Roger I pulled up our latest purchase from our vendor and for 1500LF of 24" wide thermo the price would come to around \$12,000 dollar. Now our purchase was for 15' lengths of the 24" thermoplastic but they may have better pricing for longer rolls. A link to the vendor we used is below. I am sure there are numerous other vendors for this as well. If there is anything else I can help with please let me know.

[Ennis Flint | Traffic Safety & Pavement Markers](#)

Thomas Haskins | Carbon County Assistant Maintenance Manager
Carbon County Maintenance District 5-2
PA Department of Transportation
930 Bridge Street Lehighton Pa 18235
Phone 610-377-1880
Fax 610-377-6360
thaskins@pa.gov
www.dot.state.pa.us

From: Herrmann, Derrick <deherrmann@pa.gov>
Sent: Wednesday, June 1, 2022 4:09 PM
To: rlm69@ptd.net
Cc: Haskins, Thomas R. <thaskins@pa.gov>
Subject: RE: Penn Forest Township Letter of Request

Roger,

Sorry for the delay, I got caught up in meetings since our phone call earlier today.

We estimated the hatching to be approximately 1,455 lineal feet of 24" white. I would bump that to 1,500 LF to be safe.

To give you an idea, if it were bid out on a PennDOT project to a contractor, those prices have been coming in average about \$10.44 / LF. That would put your total for just material at \$15,660 bid out. When bidding, there's then the cost of the traffic control, mobilization, etc. as well.

I also re-attached the first concept plan for your reference. We're finishing up these plans now with some minor things we need to fix.

Thank you,
Derrick

Derrick Herrmann, P.E. | District Traffic & Operations Engineer
PA Department of Transportation | Engineering District 5-0
1002 Hamilton Street | Allentown, PA 18101
Phone: 610.871.4483
PennDOT.pa.gov

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From: Herrmann, Derrick
Sent: Wednesday, May 11, 2022 8:39 AM
To: 'rlm69@ptd.net' <rlm69@ptd.net>; 'Macchione, Thomas' <TMacchio@paturnpike.com>
Subject: RE: Penn Forest Township Letter of Request

Tom/Roger,

We have drafted a conceptual plan showing our preferred configuration for striping out the extra Southbound thru lane on PA-903.

Could you please both review and give us any feedback? There are some things not shown on here, such as the signs and pavement markings that would need to be removed on PA-903 SB for the lane drop South of the interchange.

One immediate thought I had was not moving the stop bar for the ramp so far up, maybe just a little further up. As it gets closer and closer to the intersection you have to crane your neck further behind you to see oncoming traffic, so we can adjust that I think.

If we agree on concept, we will proceed with finalizing to update the signal permits. Last thing to figure out is how the work will be completed.

Looking forward to your feedback and continuing ahead with this effort.

Thank you,
Derrick

Derrick Herrmann, P.E. | District Traffic & Operations Engineer
PA Department of Transportation | Engineering District 5-0
1002 Hamilton Street | Allentown, PA 18101
Phone: 610.871.4483
PennDOT.pa.gov

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From: Herrmann, Derrick
Sent: Friday, April 29, 2022 11:32 AM
To: secretary@pennforesttownship.org; rlm69@ptd.net
Subject: RE: Penn Forest Township Letter of Request

Hi Roger,

I wanted to just follow-up and let you know that the Department successfully obtained the original CAD files for the plans for these intersections. We are going to go ahead and work on drafting the alterations to update the signal permits and make plans for implementation of closing one of the Southbound thru-lanes. We've already begun working on this with our in-house Engineers in the Signals unit and it shouldn't be much longer. I will be out of the office until next week, but feel free to call sometime next week or email me back with any questions or concerns.

Thank you,
Derrick

Derrick Herrmann, P.E. | District Traffic & Operations Engineer
PA Department of Transportation | Engineering District 5-0
1002 Hamilton Street | Allentown, PA 18101
Phone: 610.871.4483
PennDOT.pa.gov

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From: Cooper, Angela <angelcoope@pa.gov>
Sent: Friday, April 8, 2022 9:48 AM
To: secretary@pennforesttownship.org; rlm69@ptd.net; rlm69@ptd.net
Cc: Herrmann, Derrick <deherrmann@pa.gov>; Cooper, Angela <angelcoope@pa.gov>; Lubinsky, Albert <alubinsky@pa.gov>
Subject: RE: Penn Forest Township Letter of Request

Good morning-

Attached please find the Department's response.

Respectfully,

Angela

Angela Rose Cooper | CT3 | Administrative Assistant to ADE-Maintenance
PA Department of Transportation
Engineering District 5-0
1002 Hamilton Street | Allentown PA 18101
Phone: 610.871.4135 | Fax: 610.871.4614
angelcoope@pa.gov

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From: Dana Vitale <secretary@pennforesttownship.org>
Sent: Monday, April 4, 2022 9:18 AM
To: Herrmann, Derrick <deherrmann@pa.gov>
Cc: Roger Meckes (rlm69@ptd.net) <rlm69@ptd.net>
Subject: [External] Penn Forest Township Letter of Request

***ATTENTION:** This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.*

Good morning,

As requested, please see attached.

Thank you! Have a wonderful day.

Best regards,

Dana Vitale

Penn Forest Township, Secretary
2010 State Route 903
Jim Thorpe, PA 18229
Phone: 570-325-2768
Fax: 570-325-8230
Website: pennforesttownship.org



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www.murphylumber.net
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Murphy Lumber
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White Haven PA 18661
(570)443-8292
Fax: (570)443-9765



QUOTE

2206-084949 R1 PAGE 1 OF 1

SOLD TO
Penn Forest Township 2010 State Route 903 Jim Thorpe PA 18229

JOB ADDRESS
Penn Forest Township 2010 State Route 903 Jim Thorpe PA 18229

ACCOUNT	JOB
PFT	0
CREATED ON	06/02/2022
EXPIRES ON	06/03/2022
BRANCH	1000
CUSTOMER PO#	
STATION	M2
CASHIER	DARIN
SALESPERSON	
ORDER ENTRY	DARIN
MODIFIED BY	DARIN

THANK YOU FOR YOUR BUSINESS

Item	Description	D	Quantity	U/M	Price	Per	Amount
2410PT	2x4x10 P.T. SELECT		4	EA	10.0764	EA	40.31
248PT	2x4x8 P.T. #1 SELECT		6	EA	7.8800	EA	47.28
SOMIDSTATE	MID STATE-TREX 1X12X12 FASCIA SADDLE ENHANCED BASICS		2	1	115.7700	1	231.54
SOCENTRALSTATES	CENTRAL STATES-PANEL LOC PLUS STANDARD 40 YR 2 -12' FOREST PRICE PER FT		24	1	4.1600	1	99.84
886780005660	N351-463 1151BC 3.1x1.5x1/8 BRACE		8	EA	2.9250	EA	23.40
					Subtotal		442.37
					PA 6.00% EXE: 240863312 Sales Tax		0.00
					Total		442.37

Buyer:

Signature

Dana Vitale

From: sales@murphylumber.net
Sent: Thursday, June 2, 2022 3:40 PM
To: Dana Vitale
Subject: Email of Price Quote: Penn Forest Township
Attachments: 2206-084949.pdf

Total: \$442.37

Thank you for your business

POSITION DESCRIPTION

Job Title: Penn Forest Township Working Foreman

Hours: Per contract

The employee assigned to this position performs light/heavy, semi-skilled/skilled labor. Job sites include, but are not limited to, the Transfer Station, Municipal Building and Township Roads and Park. Duties are generally routine in nature and can be performed independently. Working conditions are generally outdoors with varying temperatures in weather. Assignments and overall supervision is provided by the Road Master. Assignments and overall supervision of the Transfer Station is provided by the appointed Supervisor Liaison. Overall performance is reviewed by the Board of Supervisors through written and oral reports of actions taken and guidance given as necessary.

Duties and responsibilities include but are not limited to:

- Supervise and ensures that all residents and customers have a valid Transfer Station card; ensures that cards are punched accurately.
- Supervise and ensures that all customers who exceed bag limits are charged the correct fees collected fees are recorded accurately according to established policies/procedures.
- Supervise and ensure receipts must be written for funds collected with a copy issued to the customer listing the items received.
- Supervise and assists customers who are physically handicapped and display a valid handicap license plate/placard.
- Supervise and monitors transfer station area during low volume periods and correct any deficiencies noted.
- Supervise and ensures the transfer station area is properly salted and cindered during inclement weather, which includes snow removal equipment (contact Road Master if supplies/help needed).
- Supervise and maintains the Transfer Station area in a clean, neat and orderly fashion monitors status of open top containers and compactors.
- Supervise and ensures good customer service and avoids traffic backup by opening the other compactor lane when necessary.
- Supervise and ensures conversations with the general public and information requested are handled in a courteous and respectful manner.
- Supervise and maintain Township Roads and open areas/park per established policies/procedures.

- Supervise and maintains Township property by cleaning building, cutting grass, raking, weeding, planting and maintaining shrubbery and flowers.
- Supervise and assists in the servicing and repairing of Township equipment operates Township vehicles and equipment.
- Supervise and assist with general cleaning and washing of vehicles and equipment.
- Supervise and assist with general clean-up of garage and work.
- Supervise and assist with maintenance of Township signs.
- Supervise and assist, collects roadside debris, removes trees and/or branches from roadways performs carpentry, masonry and painting duties as assigned within the employee's capability essential functions.
- Supervise and direct the day to day activities of the Maintenance Staff.
- Attend scheduled department head meetings and at such meeting supply a verbal report of activities of the previous two (2) weeks and a verbal report of any upcoming two weeks anticipated activities with the understanding that circumstances may change requiring the anticipated work to change.
 - Ability to understand and follow oral and written instructions.
 - Ability to work in adverse weather conditions.
 - Ability to perform a variety of manual tasks.
 - Ability to walk, lift and bend while carrying heavy object Possess valid driver's license.
 - Knowledge of hand tools utilized in construction and maintenance.

INVOICE



Starline Striping LLC

4699 Aspen Drive, Walnutport, PA 18088, UNITED STATES

starlinestriping@gmail.com; Website:

<https://www.starlinestriping.com>

Invoice No#: 699

Invoice Date: May 24, 2022

Due Date: May 24, 2022



\$5,500.00

AMOUNT DUE

BILL TO

Penn Forest Park

Roger

1336 State Rt 903, Jim Thorpe, PA, UNITED STATES

secretary@pennforesttownship.org

Phone: +1 570-657-0868

#	ITEMS & DESCRIPTION	QTY/HRS	PRICE	AMOUNT(\$)
1	Line striping - clean and prep lot - layout - approx 250 spaces at standard 9ft - 10 handicapped spaces (required 1 for every 25 spaces)	1	\$5,500.00	\$5,500.00
Subtotal				\$5,500.00
Shipping				\$0.00
TOTAL			\$5,500.00 USD	

NOTES TO CUSTOMER

We hereby propose to provide labor and material—complete in accordance with the above specifications. All labor and material is guaranteed to be as specified. All work to be executed professionally as described in provided contract specifications or per standard practices. Any alteration or deviations from the above specified scope of work or installation method involving extra costs will be executed only upon written request and approval by Starline Striping LLC, and will be considered an additional Change Order. Change Orders are subject to price and schedule changes. Estimate total subject to change according to job approval and start date, due to material price fluctuation.





PRICES FOR TURFACE FOR THE BASEBALL AND SOFTBALL FIELDS

TO BE ORDERED FROM MARZEN HARDWARE -570-325 -2161

FULL PALLET -40 BAGS -\$33 PER BAG = \$1320

SINGLE BAGS - \$36 PER BAG.

RIGHT TO KNOW REQUESTS----MAY 2022

Date Rec'd	#	Requested by	Description	Comments	Hours spent	completed by
1	28-Apr	4329 Patti Hackl	Septic 66-A2.06	provided documents	0.5	Dana
2	28-Apr	4330 DiMaria	Septic 22-A5.04	provided documents	0.75	Dana
3	28-Apr	4331 Holly Plante	Deck Permit 22A-D1876	provided documents	0.75	Dana
4	28-Apr	4332 Holly Plante	Garage addition 22A-D1876	provided documents	0.75	Dana
5	2-May	4334 Trisha Kochanski	356 Robertson Road shed permit	N/A	0.5	Dana
6	2-May	4335 Chris Rau	Septic 65A-A12	provided documents	0.75	Dana
7	2-May	4336 Joel Tobin	Deck inspection 22A-A442	provided documents	0.5	Dana
8	3-May	4337 Nik Skinner	Septic 23A-B10,B11,B29,B30,A178	provided documents	1.75	Dana
9	3-May	4338 DiMaria	Septic 22A-D2125	provided documents	0.75	Dana
10	4-May	4339 Doe Apice	157 Wylie Cr. Septic Permit May Agenda, April Minutes & Bills List	provided documents	0.5	Dana
11	2-May	4340 Judith Knappenberger	Septic 22A-A50,A279,EV299,EV1117,EV1476 EV1614,EV1634,49A-C280	provided documents	0.5	Dana
12	2-May	4341 Keith Valentine		provided documents	2	Dana
13	4-May	4342 Matthew McCormac	Septic 22A-B756	provided documents	0.75	Dana
14	4-May	4343 Julia Toneis	Septic 22A-C1406, A130	provided documents	0.75	Dana
15	5-May	4344 Michael Devaney	Septic 49A-B5	provided documents	0.5	Dana
16	5-May	4345 Joel Felicio	Septic 111 Burnshaw	N/A	0.75	Dana
17	5-May	4346 Cindy Derolf	Septic 67D-A@	N/A	0.5	Dana
18	5-May	4347 Ellen Capell	Plot Plan 9 Recreation Ct	provided documents	0.5	Dana
19	5-May	4348 David Taylor	22A-C1230A	N/A	0.75	Dana
20	9-May	4349 Keith Valentine	Septic 22A-B887	provided documents	0.5	Dana
21	9-May	4350 Petr Novack	Septic 22A-EV1158	provided documents	0.5	Dana
22	9-May	4351 Petr Novack	Septic 22A-D2036	provided documents	0.5	Dana
23	9-May	4352 Mitchell Ross	Septic 2A-K11521	provided documents	0.5	Dana
24	9-May	4353 Miriam Cordero	STR Report	provided documents	0.75	Dana\Jared
25	9-May	4354 Peggy Dusablon	STR Report	provided documents	0.5	Dana
26	10-May	4355 Patti Hackl	Septic 22A-EV2021	provided documents	0.5	Dana
27	10-May	4356 Victoria Pfeffer	Septic 1933 State Rte 903	provided documents	0.5	Dana
28	10-May	4357 Michael Gilliar	Septic 23A-A240	provided documents	0.5	Dana

29	10-May	4358	DiMaria	Septic 22A-B789	provided documents	0.5	Dana
30	10-May	4359	Marion Donski	Septic 66B-A263,264	provided documents	0.75	Dana
31	10-May	4360	Marion Donski	Septic 22A-B868	provided documents	0.75	Dana
32	11-May	4361	Eric Johnston	Septic 12A-MV2183	provided documents	0.5	Dana
33	12-May	4362	Cindy Nanovic	Special Exception Application 11-51-A4,06, A4.03,A4, .02, A4.04	provided documents	0.75	Dana
34	12-May	4363	Tawney Barthel	Septic 67C-A3	provided documents	0.5	Dana
35	13-May	4364	David O'Connor	Septic 51-51-A2	provided documents	0.75	Dana
36	16-May	4365	Smitha Rajesh	Septic 2A-D813	provided documents	0.75	Dana
37	18-May	4366	Erin Raggio	Septic 23A-B157	provided documents	0.5	Dana
38	18-May	4367	Doe Apice	Hot tub permit	provided documents	0.5	Dana
39	18-May	4368	Keri Gallagher	Septic 3A-1B67 & 1B66	provided documents	0.5	Dana
40	18-May	4369	Tawney Barthel	Septic 22A-EV1180,	provided documents	0.75	Dana
41	18-May	4370	Tawney Barthel	Septic 22A-EV553	provided documents	0.75	Dana
42	19-May	4371	Doe Apice	97 Lucretius hot tub permit	N/A	0.5	Dana
43	19-May	4372	Julia Toneils	Septic 22A-EV1162	N/A	0.5	Dana
44	23-May	4373	Keri Gallagher	Septic 3A-4A211	provided documents	0.5	Dana
45	23-May	4374	DiMaria	Septic 66B-A359	N/A	0.5	Dana
46	23-May	4375	Deron Erney	Queen of Peace Permits	provided documents	0.5	Dana
47	23-May	4376	Bobbi Mika	Septic 3B-B-34	provided documents	0.5	Dana
48	25-May	4377	Peggy Dusablon	STR Report	provided documents	0.75	Dana\Philp
49	27-May	4378	Mariah Toneils	Septic 22A-EV1074	provided documents	0.75	Dana
50	27-May	4379	DiMaria	Septic 10.A7.03, A4, A6	provided documents	0.75	Dana
51	27-May	4380	Kelly Jamison	Garage Permit 22A-EV1589	N/A	0.75	Dana
52	27-May	4381	Keri Gallagher	Septic 51A-G6LH	provided documents	0.75	Dana
53	27-May	4382	Keri Gallagher	Septic 22-a13.11	provided documents	0.75	Dana
54	27-May	4383	Keri Gallagher	Septic 22-A13.11	provided documents	0.75	Dana
					TOTAL RTK=	54	
					TOTAL TIME/hours=	35.75	



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Fax: 570 • 454 • 9979

ZONING & BUILDING REPORT MAY 2022

ZONING PERMIT ACTIVITY

79 permits issued. Please see attached detailed report.

Total includes 28 Short Term Rental permits.

43 CO's issued

93 Zoning inspections

Five (5) new complaint investigations

BUILDING PERMIT ACTIVITY

40 permits issued, including (4) new homes. Please see attached detailed report.

31 CO's issued

82 UCC inspections

180 of 827 Open UCC permits remain open.

ZONING HEARING BOARD MEETING

May 5, 2022: Common Flame, LLC application for Temporary Festival Use. Continued to
June 2, 2022.

Respectfully submitted

Kathryn Forry

Kathryn Forry, MCP, BCO
Barry Isett & Associates, Inc.

PENN FOREST TOWNSHIP-Zoning Permits Issue Date: 5/1/2022 - 5/31/2022

PermitNo	Issue Date	Owner	Project Addr	Descript
Zoning				
RES-ACC				
220362	5/24/2022	SHERMAN BORIS AND LINDA	9 BATES CIRCLE	CARPORT
220318	5/6/2022	LUFJ LLC	160 BEHRENS ROAD	DECK
220304	5/2/2022	BURNS RYAN YOUNG & JILL CARYN	175 BISHOP CIRCLE	SHED
220181	5/13/2022	PECKHAM ANDREW & JENNIFER	185 BISHOP CIRCLE	HOT TUB & PATIO
220377	5/27/2022	TOWAMENSING TRAILS P.O.A.	201 BISHOP CIRCLE	4' FENCE
220327	5/13/2022	STEPHENS WILLIAM	38 BURNshaw LANE	HOT TUB
220385	5/31/2022	FINNAN GERALDINE	44 CAEDMAN DRIVE	ROOF MOUNT SOLAR PANELS
220334	5/13/2022	MARQUETTE KENNETH P.	11 CAYUGA DRIVE	GARAGE
220089	5/5/2022	MATHIESON LLC	7 CHILDER GLEN	CEMENT SLAB / HOT TUB
220381	5/31/2022	OCONNOR JOHN J III & GENA ANNE	46 FROST LANE	FENCE
220380	5/31/2022	CARR MICHAEL & JANELLE	93 FROST LANE	FENCE
220333	5/13/2022	DOUGHERTY THOMAS G	34 HOPKINS CIRCLE	HOT TUB
220320	5/9/2022	FARINELLI KRISTI	76 JEFFERS WAY	HOT TUB & RE-STONE PAVERS
220373	5/27/2022	WATSON DENNIS M & MARYLYNN	199 KEATS LANE	POLE BARN
220090	5/5/2022	MATHIESON SCOTT	104 LINDBERGH CIRCLE	CEMENT SLAB / HOT TUB
220369	5/24/2022	TASSONE GEORGE D JR	56 LINDSAY MEWS	ABOVE GROUND POOL, DECK, & FENCE
220293	5/2/2022	MILNER RICHARD E & LOUISE	203 LONGFELLOW CIRCLE	FENCE
220311	5/6/2022	SASYN RUSLAN	228 MOUNTAIN ROAD	ROOF MOUNT SOLAR PANELS
220383	5/31/2022	DURYEA DEBRA A & HAROLD J	233 MOUNTAIN VIEW	SHED
220384	5/31/2022	SAUER RITA M	648 OLD STAGE ROAD	SHED
220305	5/2/2022	HOBBS MICHAEL	10 OTTOMANELLI DRIVE	SHED
220352	5/24/2022	NICMAR HOLDINGS, LLC	42 OTTOMANELLI DRIVE	HOT TUB
220341	5/24/2022	GALLO, JAMES T. & DRUGAC, DAWN M.	101 PANTHER RUN ROAD	4.5' FENCE
220315	5/6/2022	WARNER AUBREY S. & DESIREE J.	110 PATTEN CIRCLE	ROOF OVER DECK & FENCE
220316	5/6/2022	COOPER BRAD	495 PATTEN CIRCLE	SITE ALTERATION
220379	5/27/2022	BUCKMAN ANDREW	41 PENN FOREST TRAIL	SHED & DRIVEWAY EXTENSION
220279	5/6/2022	MASTER BRIAN	83 PETRARCH TRAIL	SHED
220326	5/13/2022	TIBBS TIMOTHY ALLEN & PAMELA J.	11 SHORT LANE	6' FENCE
220319	5/6/2022	WOMER SR BRUCE	1327 STATE ROUTE 534	GARAGE
220317	5/6/2022	STRIKA BEAU R.	72 SWEET BRIAR LANE	IN-GROUND SWIMMING POOL & FENCE
220363	5/24/2022	SILBERMAN KEVIN	22 SYCAMORE CIRCLE	6' FENCE
220339	5/24/2022	SILBERMAN KEVIN	22 SYCAMORE CIRCLE	HOT TUB
220088	5/5/2022	MATHIESON LLC	174 TEDDYUSCUNG TRAIL	CEMENT SLAB / HOT TUB
220310	5/6/2022	BOBKOVA VLADISLAV	42 TENNYSON CIRCLE	SHED
220367	5/27/2022	122 THOMAS LANE LLC	122 THOMAS LANE	HOT TUB
				Total RES-ACC 35
RES-ADD				
210540	5/6/2022	SABATINO STEPHEN P. & EROLA T.	551 BEAR CREEK LAKE DRIVE	DEMOLITION, ADDITION & DECK
				Total RES-ADD 1
RES-AG POOL				
220344	5/24/2022	REX SHANE	3890 FOREST STREET	ABOVE GROUND POOL
				Total RES-AG POOL 1
RES-ALTER				
220236	5/5/2022	TIEMANN KEVIN & SALOME	20 COCOPAH CIRCLE	ROOF MOUNT SOLAR PANELS
				Total RES-ALTER 1
RES-DECK				
220351	5/24/2022	HETHERINGTON STEVEN	125 AUTUMN LANE	DECK
220340	5/24/2022	KOVOLLENKO WILLIAM JR & CHERYL L	228 BEHRENS ROAD	DECK
220272	5/13/2022	GAISKI CHRISTOPHER J. & JENNIFER T.	90 LONGFELLOW CIRCLE	DECK
220349	5/24/2022	HALLIDAY RAYMOND & DEBORAH S.	450 PATTEN CIRCLE	DECK
220142	5/24/2022	LOFFREDO MICHAEL	3 RED OAK DRIVE	FRONT & REAR DECK

PermitNo	Issue Date	Owner	Project Addr	Descript
Zoning				
220357	5/24/2022	FERRARO MARK & CARRIE	12 WILDE GLEN	DECK
220331	5/13/2022	THOMAS PETER E J & CLAIRE A	127 WINTERGREEN TRAIL	DECK
220322	5/24/2022	GLOVER NATHAN L	37 YOUNG CIRCLE	DECK
				Total RES-DECK 8
RES-SFD				
220330	5/25/2022	JOHNSTON SCOTT & KELLIE	98 DELAWARE DRIVE	SINGLE FAMILY DWELLING
220328	5/25/2022	BERENDS VICTORIA JUNE	22 LAUREL WOODS CIRCLE	SINGLE FAMILY DWELLING
220297	5/25/2022	SCHEELER MICHAEL	128 LINDBERGH CIRCLE	SINGLE FAMILY DWELLING
220275	5/24/2022	MIHALYI JOSEPH B	101 SPENCER LANE	SINGLE FAMILY DWELLING
220083	5/6/2022	HARTMANN KARL	20 TRILLIUM ROAD	SINGLE FAMILY DWELLING
				Total RES-SFD 5
RES-STR				
220355	5/25/2022	SCIAMANNA DOM & BRIDGET	88 BISHOP CIRCLE	SHORT-TERM RENTAL
220336	5/25/2022	ALSINA JUAN	94 BUCK HILL ROAD	SHORT-TERM RENTAL
220313	5/13/2022	DEMARCO, FRANCIS & MURPHY, /NICOLE	81 DRYDEN DRIVE	SHORT-TERM RENTAL
220309	5/13/2022	106 GINSBURG LLC	106 GINSBURG CIRCLE	SHORT-TERM RENTAL
210560	5/25/2022	PUSHPARAJAN, RAJESH & RAJESH, SMITH	5 HIGHRIDGE ROAD	SHORT-TERM RENTAL
220234	5/4/2022	KARAMICO CONSULTING LLC C/O MIHALE	46 JEFFERS WAY	SHORT-TERM RENTAL
220337	5/25/2022	SAUDER CHAD M	40 KIPLING LANE	SHORT-TERM RENTAL
220314	5/5/2022	BOTERO ANDRES & PATRICIA	28 LAZARUS CIRCLE	SHORT-TERM RENTAL
220332	5/25/2022	139 LINDBERGH CIRCLE LLC	139 LINDBERGH CIRCLE	SHORT-TERM RENTAL
220323	5/13/2022	PINSLEY MARK E	45 LINDSAY MEWS	SHORT-TERM RENTAL
220294	5/5/2022	TODD KENNETH L & GEORGINE	120 LIPO WAY	SHORT-TERM RENTAL
220155	5/13/2022	ROJAS ALFONSO BENAVIDES	27 LONG BROOK WAY	SHORT-TERM RENTAL
210730	5/5/2022	SCHILLING DAVID M. & NICOLE	56 MILLER WAY	SHORT-TERM RENTAL
220288	5/5/2022	CORRENTE JASON & JANET	63 MOUNTAIN ROAD	SHORT-TERM RENTAL
220312	5/18/2022	ZAMAN RAKIN	555 OLD STAGE ROAD	SHORT-TERM RENTAL
220353	5/20/2022	NICMAR HOLDINGS, LLC	42 OTTOMANELLI DRIVE	SHORT-TERM RENTAL
220302	5/5/2022	MOFFATT LE JUAN J	174 PENN FOREST TRAIL	SHORT-TERM RENTAL
220291	5/5/2022	MORRIS WILLIAM	209 PETRARCH TRAIL	SHORT-TERM RENTAL
220325	5/25/2022	DRISCOLL KATHLEEN	28 POPE LANE	SHORT-TERM RENTAL
220321	5/20/2022	ROZENSHTEYN ROMAN & TATYANA	47 POPLAR DRIVE	SHORT-TERM RENTAL
220265	5/5/2022	MARQUES JAHAIIRA	99 SANDALWOOD ROAD	SHORT-TERM RENTAL
220303	5/5/2022	KOTARSKI RYAN	66 THOMAS LANE	SHORT-TERM RENTAL
220295	5/5/2022	HIGH END REALTY LLC	145 TOWAMENSING TRAIL	SHORT-TERM RENTAL
220296	5/25/2022	MADRID MANUEL & KAREN	191 TOWAMENSING TRAIL	SHORT-TERM RENTAL
220375	5/27/2022	MIGNOGNA MATTHEW AND DANA	466 TOWAMENSING TRAIL	SHORT-TERM RENTAL
220350	5/27/2022	RABICH KEVIN	10 WHITE BIRCH WAY	SHORT-TERM RENTAL
220347	5/25/2022	161 WYLIE, LLC	161 WYLIE CIRCLE	SHORT-TERM RENTAL
220324	5/25/2022	GLOVER NATHAN L	37 YOUNG CIRCLE	SHORT-TERM RENTAL
				Total RES-STR 28
				Total Zoning 79

Total Permits: 79

PENN FOREST TOWNSHIP-Building Permits Issue Date: 5/1/2022 - 5/31/2022

PermitNo	Issue Date	Owner / Descript	ParcelID	Project Addr	Est Cost	Status	Final
Building							
220020	5/3/2022	SHAPIRO, JASON M SINGLE FAMILY DWELLING	51A-51-H131T	66 WHITE OAK DRIVE JIM THORPE, PA 18229	\$291,000	Active	
220023	5/5/2022	MATHIESON LLC, HOT TUB	22A-51-C1012	174 TEDDYUSCUNG TRAIL ALBRIGHTSVILLE, PA 18210	\$4,000	Active	
220024	5/5/2022	MATHIESON LLC, HOT TUB	22A-51-EV1033	7 CHILDER GLEN ALBRIGHTSVILLE, PA 18210	\$4,000	Active	
220025	5/5/2022	MATHIESON, SCOTT HOT TUB	22A-51-D1974	104 LINDBERGH CIRCLE ALBRIGHTSVILLE, PA 18210	\$4,000	Active	
220057	5/5/2022	EVANS, JAMES H. & CYNTHIA K. SCREENED PORCH AND DECK	22A-51-FV161	79 KILMER TRAIL ALBRIGHTSVILLE, PA 18210	\$3,500	Active	
220062	5/5/2022	CARLIN, EDWARD SUNROOM ON EXISTING DECK	22A-51-A270	196 ELIOT LANE ALBRIGHTSVILLE, PA 18210	\$4,800	Active	
220074	5/5/2022	TIEMANN, KEVIN & SALOME ROOF MOUNT SOLAR PV PANELS	49A-51-E529	20 COCOPAH CIRCLE JIM THORPE, PA 18229	\$28,132	CO Issued	5/20/2022
220092	5/5/2022	DEMARCO, ROBERT & NAUGHTON, KAT DECK	51A-51-122MV	36 ASH DRIVE JIM THORPE, PA 18229	\$3,500	Active	
220093	5/5/2022	MOONEY, LISA & JOHN ATTACH GAZEBO ATOP EXISTING DECK	22A-51-EV1744	63 BERRYMAN LANE ALBRIGHTSVILLE, PA 18210	\$0	Active	
220094	5/5/2022	THOMAS, PETER E J & CLAIRE A DECK	2A-51-AIII1903	127 WINTERGREEN TRAIL ALBRIGHTSVILLE, PA 18210	\$6,000	Active	
220097	5/5/2022	SWISHER, VIRGINIA DECK	12A-51-MV2171	101 HIAWATHA TRAIL ALBRIGHTSVILLE, PA 18210	\$19,564	Active	
220099	5/5/2022	PITTS, CHARLES J. DECK ALTERATIONS & HOT TUB	22A-51-EV1688	44 LUCRETIVS TRAIL ALBRIGHTSVILLE, PA 18210	\$10,000	Active	
220103	5/5/2022	SONNENBERG, HEATHER A DECK REPAIRS	51A-51-J8LD	157 BEAR CREEK LAKE DRIVE JIM THORPE, PA 18229	\$2,000	Active	
220083	5/10/2022	SABATINO, STEPHEN P. & EROLA T. DEMOLITION, ADDITION & ALTERATIONS TO SFD	51A-51-C3LD	551 BEAR CREEK LAKE DRIVE JIM THORPE, PA 18229	\$475,000	Active	
220095	5/10/2022	SOGHA, MAGDALENA L DETACHED GARAGE (POLE STRUCTURE)	12B-51-A7	152 JONAS MOUNTAIN DRIVE ALBRIGHTSVILLE, PA 18210	\$0	Active	
220098	5/10/2022	LUCAS, JEFFERY RESIDENTIAL ALTERATIONS (SLIDING DOOR FRAMING)	22A-51-EV49A	174 LONGFELLOW CIRCLE ALBRIGHTSVILLE, PA 18210	\$10,701	Active	
220101	5/10/2022	SASYN, RUSLAN ROOF MOUNT SOLAR PV PANELS	2A-51-J204	228 MOUNTAIN ROAD ALBRIGHTSVILLE, PA 18210	\$18,300	Active	

PermitNo	Issue Date	Owner / Descript	ParcelID	Project Addr	Est Cost	Status	Final
Building							
220106	5/10/2022	FARINELLI, KRISTI HOT TUB	22A-51-EV609	76 JEFFERS WAY ALBRIGHTSVILLE, PA 18210	\$5,000	Active	
220108	5/10/2022	ARSENS CONSTRUCTION LLC, TEMPORARY SERVICE	50C-51-F383	124 WILD CREEK DRIVE JIM THORPE, PA 18229	\$300	Active	
220112	5/16/2022	STEPHENS, WILLIAM HOT TUB	22A-51-EV1770	38 BURNSHAW LANE ALBRIGHTSVILLE, PA 18210	\$1,450	Active	
220052	5/17/2022	ARSENS CONSTRUCTION LLC, SINGLE FAMILY DWELLING	50C-51-F383	124 WILD CREEK DRIVE JIM THORPE, PA 18229	\$120,000	Active	
220117	5/19/2022	REX, SHANE ABOVE GROUND POOL	38-51-A1.03	3890 FOREST STREET LEHIGHTON, PA 18235	\$0	Active	
220118	5/19/2022	PECKHAM, ANDREW & JENNIFER HOT TUB	22A-51-C1401	185 BISHOP CIRCLE ALBRIGHTSVILLE, PA 18210	\$5,100	Active	
220122	5/19/2022	HALLIDAY, RAYMOND & DEBORAH S. DECK AT POOL	3A-51-3C148	450 PATTEN CIRCLE ALBRIGHTSVILLE, PA 18210	\$0	Active	
220123	5/19/2022	CITARA, JEFFREY DECK ALTERATIONS	22A-51-D1799	160 PENN FOREST TRAIL ALBRIGHTSVILLE, PA 18210	\$1,960	Active	
220124	5/19/2022	HETHERINGTON, STEVEN DECK ADDITION	50C-51-J697	125 AUTUMN LANE JIM THORPE, PA 18229	\$3,700	Active	
220104	5/24/2022	STRIKA, BEAU R. IN GROUND SWIMMING POOL & FENCE	66C-51-B1414	72 SWEET BRIAR LANE JIM THORPE, PA 18229	\$70,000	Active	
220113	5/24/2022	TOOLSEE, CECILIA I. ABOVE GROUND POOL	3B-51-B48	21 OAK RIDGE DRIVE ALBRIGHTSVILLE, PA 18210	\$0	Active	
220116	5/24/2022	ST CLAIR, JEFFREY HOT TUB	22A-51-EV507A	34 MILTON WAY ALBRIGHTSVILLE, PA 18210	\$0	Active	
220129	5/24/2022	STROHL, CARRIE A. DECK & PORCH	50C-51-H605	233 WILD CREEK DRIVE JIM THORPE, PA 18229	\$25,500	Active	
220136	5/24/2022	DOUGHERTY, THOMAS G HOT TUB	22A-51-C1443	34 HOPKINS CIRCLE ALBRIGHTSVILLE, PA 18210	\$0	Active	
220018	5/26/2022	HARTMANN, KARL SINGLE FAMILY DWELLING	65A-51-B31	20 TRILLIUM ROAD JIM THORPE, PA 18229	\$631,000	Active	
220090	5/26/2022	MIHALYI, JOSEPH B SINGLE FAMILY DWELLING	22A-51-A87A	101 SPENCER LANE ALBRIGHTSVILLE, PA 18210	\$293,000	Active	
220107	5/26/2022	ANTINUCCI, ANTHONY HOT TUB	22A-51-B638	32 SPENCER LANE ALBRIGHTSVILLE, PA 18210	\$13,000	Active	
220114	5/26/2022	SILBERMAN, KEVIN HOT TUB	2A-51-KII1818	22 SYCAMORE CIRCLE ALBRIGHTSVILLE, PA 18210	\$4,760	Active	

PermitNo	Issue Date	Owner / Descript	ParcelID	Project Addr	Est Cost	Status	Final
Building							
220126	5/26/2022	NICMAR HOLDINGS, LLC, HOT TUB	22A-51-EV878A	42 OTTOMANELLI DRIVE ALBRIGHTSVILLE, PA 18210	\$0	Active	
220131	5/26/2022	VATZYK, IRYNA M DECK	22A-51-B835	5 KEATS LANE ALBRIGHTSVILLE, PA 18210	\$0	Active	
220132	5/26/2022	MCCALL, MEGAN HOT TUB	22A-51-EV1166	61 CHAPMAN CIRCLE ALBRIGHTSVILLE, PA 18210	\$7,000	Active	
220133	5/26/2022	CIRINCIONE, MICHAEL G. & BERNADET DECK ALTERATIONS (DECKING & RAILINGS)	22A-51-EV427	670 TOWAMENSING TRAIL ALBRIGHTSVILLE, PA 18210	\$0	Active	
220134	5/26/2022	TOBIN, HEATHER AND JOEL HOT TUB	22A-51-A442	56 KIPLING LANE ALBRIGHTSVILLE, PA 18210	\$7,000	Active	
Total Building 40					\$2,073,267		
Total Permits: 40					\$2,073,267		

**Penn Forest Township
Planning Commission Meeting
May 23, 2022 at 6:00pm**

Place of Meeting:

Penn Forest Township
2010 State Route 903
Jim Thorpe, PA 18229

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ATTENDANCE:

William Miller, Chairman;
Chris Rau, Member;
Stacy Venetos, Member
Dan Wilusz, Representative of BIA, Township Engineer
Julie Rossi, PC Secretary;

APPROVAL OF MINUTES – from April, 2022, Motion to accept made by Chris Rau, seconded by Stacy Venetos, motion passed.

Submitted for Review:

Proposed Minor Subdivision for Parcel 65A-51-a10.05 – (Mitchell) Township Engineer comments and summarization: Bill Miller made a motion to recommend approval of waivers 333.15 (contour lines), 333.31 (8" trees) and 331- (scale of plan), Chris Rau seconded, motion passed. Stacy Venetos made a motion to recommend conditional approval of plan based upon the engineer's letter of May 11, 2022 which will also satisfy the SEO's letter which is attached to the engineer's letter. Bill Miller seconded, motion passed.

Proposed Minor Subdivision for Parcels 22A-51-C1616 and 22A-51-C1617 – (Wagner) Township Engineer comments and summarization: Bill Miller made a motion to table due to many outstanding items to address, no County review, Does the applicant wish to request any waivers of the SALDO requirements? There was no waiver request letter attached, Stacy Venetos seconded, motion passed.

Proposed Land Development for Parcels 36-51-A3.01, 36-51-A9.05 and 36-51-A14 – (PNKP5) Township Engineer comments and summarization: Stacy Venetos made a motion to table upon request of client, Chris Rau seconded, motion passed.

Meeting Adjourned:

MOTION made by Bill Miller, seconded by Chris Rau, to adjourn the meeting at 6:30PM.

** The purpose of the Planning Commission is to give an advisory review to the ZHB based on their review of the plans submitted for a Special Exception Application. The Planning Commission does not approve or deny the application**



8 West Broad Street, Suite 1100, Hazleton, PA 18201
570.455.2999 570.454.9979
barryisett.com

May 11, 2022
Project #312022.013

Planning Commission
Penn Forest Township
2010 State Route 903
Jim Thorpe, PA 18229

Dear Planning Commission:

RE: MITCHELL MINOR SUBDIVISION

Parcel ID 65-51-A10.05
Penn Forest Township, Carbon County, Pennsylvania
Final Plan Review

Materials Submitted for Review

1. Preliminary/Final Plan, Minor Subdivision for Gerry R. Mitchell, Lot 5, as prepared by George Fetch, Jr. P.L.S., dated April 2022, with no revisions. The plan consists of one sheet.
2. Penn Forest Township, Application for Subdivision and Land Development, signed December 2, 2021
3. Deed for Parcel 65-51-A10.05, & Lot Closure Report
4. Sewage Facilities Planning Module, unsigned

On behalf of the owner, Gerry R. Mitchell, this plan proposes the subdivision of one parcel (Lot 5) into two separate lots (Lots 5 and 5-A).

The existing Lot 5 is shown as 15.703 acres. Proposed Lot 5 is shown as 3.15 acres and proposed Lot 5-A is shown as 12.55 acres. The plans indicate that the existing site is located at 305 Uniondale Road in Penn Forest Township, Pennsylvania. Addresses are not included for the two proposed lots. The existing lot is located in the R-1 (Rural Residential Agricultural) zoning district.

The plan was reviewed for conformance to the Penn Forest Township SALDO, effective July 2014; to the Penn Forest Township Zoning Ordinance, adopted December 5, 2011; and to other general engineering criteria. Based upon our review we offer the following comments:

General Engineering Comments

1. All signature blocks shall be signed and certified by the Owner, as necessary, prior to the Township's Approval of the plans.

Zoning Ordinance Review

2. Section 307.A: The minimum lot size allowed in the R-1 district is 87,120 SF (2.0 acres). The total area is shown as 15.703 acres. New Lot 5 is shown as 3.15 acres, and Lot 5-A is shown as the remaining 12.55 acres.
3. Section 307.D(3) – Natural resource and site capacity calculations are required for any new lots proposed that would allow for the construction of one or more new dwellings.

Subdivision and Land Development Ordinance Review (SALDO)

4. Section 134.6- All relief granted by the Township in the form of waivers or variances should be requested in writing, and separately noted on the plan, including a complete description of the relief and the date of the board meeting when the relief was granted.
5. Section 311– The plan is shown at 1":60'. This section specifically states that the only scales acceptable are 1":100', 1":50', and 1":20'.
6. Section 314.1- The preliminary plan shall indicate the name and address of the record owner. The last name of the owner, Gerry R. Mitchell, is misspelled in several places on the subdivision plan. Based on the township application, Mr. Mitchell's name includes two "L"s. Please clarify which spelling is correct and review and revise the plan and other application information, as necessary.
7. Section 314.7- The preliminary plan shall indicate the date, including the month, day, and year that the original drawing was completed, and the month, day, and year that the original drawing was revised, for each revision. The plans only indicate the month, and year of the plan creation.
8. Section 314.11- The preliminary plan shall indicate the zoning district within which the proposed subdivision is located. The plans should indicate that the property is located in the R-1, Rural Residential "Agricultural" zone.
9. Section 315.10 – The full plan of the proposed development shall identify the location of all proposed easements and utility right-of-way. There are several easements, which are not set on property lines. Bearing and distances should be included on these easements to indicate their locations.
10. Section 314.22/Section 333.31: The plan shall include all significant natural features, including all trees of 8 inches or greater in caliper size.
11. Section 315.6 – The plan should indicate the proposed use of the newly created lots. By definition, a minor subdivision is defined as a residential subdivision that does not and will not in the future involve more than a total of three lots, including the residual parcel, and does not involve the provision of any new street or easement for access. If these lots are intended for commercial use, the major subdivision land development requirements are applicable, and a statement of use must be added to the plans.
12. Section 324.2 – The final plan shall be accompanied by documentation from the sewage enforcement officer (SEO) that each lot has been approved for on-lot sewage systems.

13. Section 323.7: Space shall be left along the lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented.

These comments are made with the understanding that all features are accurately displayed on the submitted plans and that they comply with all current laws, regulations, and currently acceptable professional land surveying and engineering practices. This is not a comprehensive list, and other comments may be added as additional information becomes available or should information change.

Please do not hesitate to contact me at our office at (570)-455-2999 if you have any questions regarding this letter.

Sincerely,



Daniel J. Wilusz, P.E.
Township Engineer
Barry Isett & Associates, Inc.

cc: Gerry R. Mitchell
31 Field Drive
Jim Thorpe, PA 18229

George Fetch, Jr., P.L.S.
80 Palm Circle
Lehighton, PA 18235



CARBON COUNTY PLANNING COMMISSION
P.O. BOX 210
JIM THORPE, PA 18229-0210
PHONE: (570)325-3671
FAX: (570)325-3303



TO: Mrs. Dana Vitale, Secretary - Penn Forest Township
FROM: Carbon County Planning Commission
DATE: May 17, 2022
RE: Subdivision Review: **Minor Subdivision - Gerry R. Mitchell**
Preliminary/Final - Penn Forest Township

The Carbon County Planning Commission has reviewed the above-mentioned subdivision in accordance with Act 247 and the Penn Forest Township Land Development Ordinances. Our review has provided the following information for your consideration.

SITUATION:

- (1) **Location:** The proposed subdivision is located at 305 Unionville Road (PA State Route #1002) Penn Forest Township, as shown on the plan.
- (2) **Zoning Classification:** R1 (Rural Residential)
- (3) **Total Acreage:** 15.70 Acres
- (4) **Total Lots Proposed:** 2 Lots Lot #5 - 3.15 Acres, Lot #5A - 12.55 Acres
- (5) **Type Sewer System:** On - Lot Sewage - Existing Lot #5, Proposed Lot #5A
- (6) **Type Water System:** On - Lot Water - Existing Lot #5, Proposed Lot #5A

SOILS: websoil survey.nrcs.usda.gov

- | | | |
|------|---|--|
| DeB | - | Dekalb very stony loam, 0 to 8% slopes |
| DeF | - | Dekalb very stony loam, 25 to 100% slopes |
| LeD2 | - | Leck Kill channery silt loam, 15 to 25% slopes, moderate erosion |
| LkD | - | Leck Kill very stony loam, 8 to 25 percent slopes |
| MbB2 | - | Meckesville channery loam, 3 to 8% slopes, moderate erosion |
| McB | - | Meckesville very stony loam, 0 to 8% slopes |
| McD | - | Meckesville very stony loam, 8 to 25% slopes |
| VeF | - | Very stony land, 25 to 120% slopes |

TOPOGRAPHY/ON-SITE INSPECTION:

The site of the proposed subdivision is an existing residential/brush and wooded covered land tract, with moderate sloping conditions throughout. On-site investigation revealed an existing vacant structure on proposed Lot #5. A large construction waste pile was also noted on proposed Lot #5. No visible barriers towards plan approval were noted.

Mrs. Dana Vitale, Secretary
Penn Forest Township
Minor Subdivision - Gerry R. Mitchell
Gerry R. Mitchell - Owner
Preliminary/Final

-2-

May 17, 2022

SALDO PLAN REVIEW:

The Carbon County Planning Commission believes the plan as submitted does not conform to preliminary/final plan requirements of the Penn Forest Subdivision and Land Development Ordinances.

- (1) Plan as submitted does not conform to the required drawing scales of one (1) inch equals one hundred (100) feet, one (1) inch equals fifty (50) feet, one (1) inch equals twenty (20) feet or one (1) inch equals ten (10) feet set forth in SALDO Section 311. The plan has a scale of one (1) inch equals sixty (60) feet. The applicant should request a waiver from this SALDO requirement. The Carbon County Planning Commission has no issues with this request and recommends approval of this waiver request. Approved waiver request including date of approval should be shown on the plan.
- (2) Signed statement by the land surveyor responsible for the plan attesting to the accuracy of the survey not shown/completed on the plan. [SALDO Section 314.6 and Section 323.2].
- (3) Certification of Ownership & Acknowledgement of Plan statement provided on the plan shall be signed and notarized per SALDO Section 314.19 requirements.
- (4) Signature block authorizing the Penn Forest Township staff and consultants to enter upon and inspect the site for the purposes of conducting a review and determining consistency with the requirements of the Penn Forest SALDO not executed by the Applicant. [SALDO Section 314.21]
- (5) Significant natural features including but not limited to flood plains, ponds and lakes, streams, natural drainage swales, wooded areas and *trees of greater than eight (8) inches in caliper* not shown on the plan. [SALDO Section 314.22]. Applicant should request a waiver from this SALDO requirement. The Carbon County Planning Commission has no issue with the approval of this waiver request. Approved waiver request including date of approval should be shown on the plan.
- (6) Documentation from the Sewage Enforcement Officer that Lot #2 has been approved for an on-lot sewage system not provided. [SALDO Section 324.2]

GENERAL REVIEW RECOMMENDATIONS

- (1) DcB soils designations as shown on the plan are incorrect. Should be revised to DeB (three (3) locations). Map Unit Legend lists HaB2, HtB2, MbC2 and TmB soils. These soils are not located on the plan and should be removed from the Map Unit Legend.
- (2) Original signatures shall be placed directly on the record plan. Please be advised that the Recorder of Deeds Office requires original signatures on all/any map to be recorded. Their office will not accept any photocopy or duplication of a signature.
- (3) All plan review comments/recommendations of the Penn Forest Township Engineer should be addressed before Final Plan approval.

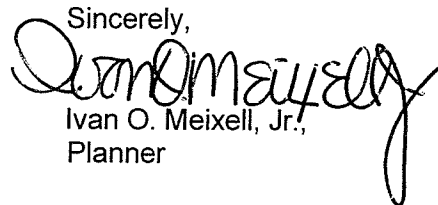
Mrs. Dana Vitale, Secretary
Penn Forest Township
Minor Subdivision - Gerry R. Mitchell
Gerry R. Mitchell - Owner
Preliminary/Final

-3-

May 17, 2022

RECOMMENDATIONS:

The Carbon County Planning Commission, in reviewing the above subdivision believes we found several areas of non-compliance with the Penn Forest Township Land Development Ordinances. We, therefore, recommend Conditional Plan Approval of this subdivision with the provision that the above issues are addressed and adequately mitigated.

Sincerely,

Ivan O. Meixell, Jr.,
Planner

IOM/iom

Cc: Applicant
George Fetch Jr., PLS
Penn Forest Township Planning Commission
Carbon County Conservation District
File (3812)