

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

**MEETING MINUTES**

**August 2, 2021**

**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.

<b>Members:</b>	<b>Roger Meckes, Chairman Christian Bartulovich, Vice Chairman Judith Knappenberger, Supervisor (by phone) Scott Lignore, Supervisor (absent) Thomas Cross, Supervisor</b>
<b>Office Staff:</b>	<b>Dana Vitale, Secretary</b>
<b>Solicitor:</b>	<b>Thomas S. Nanovic</b>

**A. PUBLIC COMMENTS: (3 Minute Limit)**

**Peggy Dusablon**- What is the status of the Short Term Rentals process? Supervisor Bartulovich stated hopefully by the end of this week to test the permit and then if all is good and give the ok we will go live.

**Chris Mangold**- 96 Lipo Way-TT- Stop work order was issued a few months ago for a test tower on Stoney mountain road and a couple months later it was reinstalled. They are asking for a special exemption for the stop order and it is my understanding they need a conditional use hearing. What is steps is being done. Attorney Nanovic stated I am not prepared to talk about it there is Zoning Hearing Board meeting scheduled for August 19<sup>th</sup>. Kathryn Forry, BIA stated there is a ZHB coming up and not prepared to speak about it. Attorney Nanovic stated that is the status of it and why don't you go to the ZHB and ask your questions. Kathryn stated they filed an appeal to the stop work order. Supervisor Meckes stated we are looking into it.

**Eileen Slack**- I would like to know what type of safety inspectors is looking to do with Old Stage & Route 534. I live in Mount Pocahontas. There is a bus stop at Pawnee and this is a safety concern for our children in the developments. Supervisor Bartulovich stated it is on the agenda for later and we will discuss it then and PC Chairman is on Zoom.

**B. MEETING MINUTES:**

**1) REGULAR BOS MEETING ON JULY 6, 2021**

**MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich to approve the BOS Meeting Minutes from JULY 6, 2021.

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

**C. SECRETARY: ACKNOWLEDGE CORRESPONDENCE RECEIVED**

**1) RESIDENT REQUEST TO WAIVE LATE FEE (see attached) - Tabled**

**2) JIM THORPE POLICE DEPARTMENT REQUEST FIRE POLICE ASSISTANCE**

Pedestrian crossing, traffic and crowd control during October 2021 weekends.

**MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich, to **GRANT** the request for Fire Police assistance during October 2021 weekends.

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

**D. TREASURER’S REPORT:**

**(a) MAUCH CHUNK TRUST COMPANY (Statement balance as of 7/31/2021)**

Township General Fund:	\$ 2,170,149.84	State Liquid Fuels Fund:	\$ 319,705.70
Sanitation Fund:	\$ 438,326.36	Payroll:	\$ 23,186.81
Septic Fund:	\$ 315,436.34	Debit Card	\$ 5,385.41
SALDO:	\$ 55,761.68	Fire Escrow:	\$ 23,349.00
Rent :	\$ 50.65	American Rescue	\$ 508,692.37
<b>TOTAL:</b>			<b>\$3,860,044.16</b>

**(b) MAUCH CHUNK TRUST COMPANY – Certificates of Deposit (as of 7/31/2021)**

Account Ending: #1841 -	\$ 3,500,792.56	(3 month CD)
#5851 -	\$ 259,035.61	(6 month CD)
#1301 -	\$ 2,048,371.64	(13 month CD)
<b>TOTAL:</b>	<b>\$ 5,808,199.81</b>	

**(c) JIM THORPE NEIGHBORHOOD BANK – Certificates of Deposit (as of 7/31/2021)**

Account Ending:		
#0064 -	\$ 105,629.10	
<b>TOTAL:</b>	<b>\$ 105,629.10</b>	

**TOTAL FUNDS ON DEPOSIT:**

**\$ 9,773,873.07**

- 1) **MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich to accept Treasurer's Report for JULY 2021 (Subject to Audit).

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

- 2) **PAYMENT OF THE BILLS FOR JULY 2021**

**MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich to pay the bills for JULY 2021.

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

**E. NEW BUSINESS:**

**ROGER MECKES, CHAIRMAN**

- 1) **APPOINT TERRY MCLEAN- PA UCC JOINT APPEALS BOARD**

Letter of interest received.

**MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich to **APPOINT** Terry McLean to represent Penn Forest Township on the PA UCC JOINT APPEALS BOARD.

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

- 2) **SOCIAL MEDIA POLICY**

Attorney Nanovic submitted a sample social media policy drafted for another Township. Tabled for employee and Teamster review.

- 3) **RESOLUTION NO. 20 OF 2021- DECLARATION OF DISASTER**

**MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich to **ADOPT** RESOLUTION NO. 20 OF 2021- DECLARATION OF DISASTER, to extend 60 days.

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

**CHRISTIAN BARTULOVICH, VICE CHAIRMAN**

- 1) **DRAFT FINANCIAL STATEMENTS -YEAR ENDED DECEMBER 31, 2020**

Township Accounting Firm Zelenkofske Axelrod submitted the draft year-end Financial Statements for approval.

**MOTION** made by Supervisor Bartulovich, Second by Supervisor Meckes to **ACCEPT** the Draft Financial Statements for year ended December 31, 2020.

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

**2) UNDERDOG PROPOSAL- REPLACEMENT SERVER- MUNICIPAL OFFICE**

XEON 3.4 Ghz Quad Core Processor \$4,648.38. Installation & migration of server \$2,145.  
Total cost of \$6,793.38.

**MOTION** made by Supervisor Cross, Second by Supervisor Bartulovich to **ACCEPT** the quote from Underdog to replace the server at the Municipal Office, total cost of \$6,793.38.

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

**3) DISCUSSION: GARBAGE PERMIT- ADDITIONAL BULK ITEM**

**MOTION** made by Supervisor Bartulovich, Second by Supervisor Cross to **ALLOW** an additional bulk item for the 18 month garbage permit.

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

**F. PFT PARK AND RECREATION**

**JUDITH KNAPPENBERGER**

**1) QUOTE FOR VEGETATION CONTROL - DBI SERVICES**

Spray fence line and walking path areas, total cost \$718.00.

**MOTION** made by Supervisor Bartulovich, Second by Supervisor Cross to **ACCEPT** the quote from DBI services to spray vegetation control at the park, total cost of \$718.00.

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

**ADDITIONAL MOTION REQUIRED**

**MOTION** made by Supervisor Bartulovich, Second by Supervisor Cross to **ADD** an additional \$2,000 to original quote from Control Security for cameras at the park \$5,090.00 new total \$7,090.00.

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

Supervisor Meckes stated I don't think it is a good idea to spray chemicals where children play. Our guys are perfectly fine to weed whack the fence lines.

Supervisor Meckes stated it has been over a year we are waiting on BRC for the cameras. Supervisor Knappenberger gave an update as to the hold up with internet connection at the park. The problem is with Verizon and PPL discrepancy on the pole work.

**G. REPORTS:**

**ROGER MECKES, ROADMASTER**

**ROADMASTER REPORT FOR JULY 2021**

We are pouring the concrete pads on 2 sets of bleaches.  
Roads are all done and look great.  
Shiffer will be starting this week to patch roads.

We received the refrigerator at the park and it works really well.  
 The guys have been mowing shoulders and weed whacking  
 The F350 utility truck is finally in the body shop to be repaired from the accident last December.  
 The new truck will be pushed back and not receiving it until 2022.

**TRANSFER STATION**

**1) BULK AMOUNT for JULY 2021---\$ 1,129.00 Year to Date Total: \$ 5,846.00**

2020-2021 Residential Permits	(7)	316.67
2020-2021 Pro-Rated Permits	(4)	5.16
2021-2022 Commercial Permits	(1)	350.00
2021-2022 Residential Permit	(863)	<u>128,684.98</u>
<b>TOTAL DEPOSITS</b>		<b><u>\$130,485.81</u></b>

**2) ADMINISTRATIVE REPORTS –**

**A) RIGHT-TO-KNOW REQUESTS FOR JULY 2021-**

**Administrative & Financial Requests: (See Attached Lists)**

**Submitted: 42 / Responded: 42/ Total Hours: 28.5 hrs.**

**Zoning & Septic Requests: Submitted: 40 / Responded: 40**

**H. ZONING DEPARTMENT** - Kathryn Forry submitted Zoning Report for JULY 2021.  
 Kathryn Forry stated a lot of houses going in and we are keeping up with permits.

**DOLLAR GENERAL- CONDITIONAL PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL- (12A-51-A2.02)**

Conditional Approval of the Preliminary/Final Land Development Plan pending satisfaction of the remaining items not addressed in the Township Engineer’s review letter dated July 26, 2021, including Performance Guarantee, Maintenance Guarantee, and Improvements Agreement. The Planning Commission has requested that the Township Solicitor incorporate language in the Improvements Agreement to indemnify the Township regarding any responsibility of traffic improvements and safety aspects at the S.R. 534 and Old Stage Road intersection.

**MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich to conditionally approve and accept the plan as recommended by the Planning Commission, contingent upon comments from the July 26, 2021 review letter be addressed and the final payment of any outstanding fees.

**ROLL CALL:** JK- no; SL-absent; CB=yes; TC-no; RM=yes **MOTION FAILED**

Attorney Nanovic stated what is the time period to act on this? Mike Muffley stated they would have to ask for another extension. Attorney Nanovic stated when does the 90 days end? Mike Muffley stated I

think we need to act on it however; we could table it because we have outstanding comments that need to be addressed.

Attorney Nanovic called an executive session at 8:10 p.m.; Supervisors reconvened at 8:20 p.m. Supervisor Lignore was called at 8:25 pm to listen to public comment and the discussion regarding Dollar General Conditional Approval request. Supervisor Meckes stated we will go over the whole discussion so that Supervisor Lignore can form his opinion.

Supervisor Lignore asked Attorney Nanovic if we deny this we will get sued personally. Attorney Nanovic stated, No I don't think we would get sued personally there is no ill will. They would file a lawsuit to appeal to reverse our decision and the court would ask what are the reasons we denied it and point to the Ordinance. Supervisor Meckes stated in my opinion they did everything we asked. The driveway distance to the bus stop is 400 feet to driveway of the store. Dollar General Engineer asked Township Engineer does the driveway requirements meet the SALDO Township Engineer replied yes. The intersection was moved to closer to Pawnee & Old Stage. Bill Miller stated who is going to take responsibility for the people who have accidents that can't stop to make that turn? I think we need an independent study. Supervisor Meckes stated that Mike made it perfectly clear and the intersection was in the study. Chris Mangold stated isn't it the township responsibility for the health and welfare of the residents? I think we should conduct the 3<sup>rd</sup> party independent study and I hear there is a real concern for safety. Supervisor Lignore stated that in front of his office was a bus stop and they moved the stop to strip mall parking lot. Attorney Nanovic all they have to do is to comply with our Ordinances.

**MIKE MUFFLEY, HANOVER ENGINEER** - stated that we've gone through four review cycles, the initial plans was actually submitted as a subdivision, there was a Zoning Variance request, which did not go through. They went back to the drawing board and got rid of the subdivision; essentially reconfigure the entire lot to satisfy the SALDO. We ask them to include some additional buffers for landscaping, some drainage. Essentially, they've addressed everything; they've met all the requirements of the SALDO.

**BILL MILLER- Planning Commission Chairman** - stated Dollar General did everything we asked of them. They crossed every T and dotted every I. They need a traffic study from PennDot on 534, 95% of their customers are turning on 534 onto the entrance on Old Stage Road. The Township is on the hook for that intersection. They did prepare a traffic impact study which analyzes the intersection on Old Stage & Rt. 534.

**PEGGY DUSABLON**- stated she thinks it is a conflict of interest to have Dollar General perform the Traffic Study. Going down route 534 it is horrible you pick up speed quickly.

Attorney Nanovic stated that is typical for the traffic study to be done by applicant and reviewed by Township Engineer. Jason Lang, from Dollar General stated the study showed no signal was warranted and nothing was warranted by PennDot. We follow Penn Dots criteria guidelines. Mike Muffley stated that Dollar General isn't creating the conditions in the winter that are already there. The Township is responsible for the intersection regardless if Dollar General is there or not. Jason Lang stated the visibility will be approved dramatically as they are clearing out the trees and approving the road to a T shape. Attorney Nanovic stated that's all the engineer can look at that if they have met all of the SALDO requirements. Supervisor Cross stated doesn't the County have a Comprehensive plan? Attorney Nanovic stated the County's plan doesn't supersede the Township plan. Township Engineer stated we certainly have not rolled over anything to let this go through. Supervisor Bartulovich stated that we have an influx of people and will continue to grow. Supervisor Knappenberger stated that it is a bad intersection no matter how you look at it. Bill Miller stated you are going up an 80% turn and going down at a 90% at that intersection. Supervisor Meckes stated that intersection has been there as long as I can remember.

**MOTION** made by Supervisor Meckes, Second by Supervisor Bartulovich to conditionally approve and accept the plan as recommended by the Planning Commission, contingent upon comments from the July 26, 2021 review letter be addressed and the final payment of any outstanding fees.

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

**Todd Fox- Chairman P&R** we had a day camp group of 150 kids and 3 buses from NYC request to utilize the park. I wanted to run this by you guys. My personal feeling is this community park and is out of our scope of uses of the park. Supervisor Bartulovich stated could close it to the residents and there lies the issue. Supervisor Bartulovich stated we could close without warning but it looks really bad to the residents. Attorney Nanovic stated we should adopt a policy for this issue. Supervisor Knappenberger stated that we do not have the capacity to accommodate 150 kids. We did not get any specs for the PUMP Track yet and we are looking into the playground equipment. The Park Committee will handle the issue with the day camp. Movie night is August 13<sup>th</sup>. Sports have been ramping up. We are getting interest in food trucks.

Executive session was called at 9:00 p.m. to discuss possible litigation. Supervisors' reconvened at 9:15 p.m.

**BEING NO FURTHER BUSINESS, MEETING WAS ADJOURNED AT 9:15 P.M.**

**MOTION** to adjourn meeting by Supervisor Bartulovich, Second by Supervisor Meckes

**ROLL CALL:** JK-yes; SL-absent; CB-yes; TC-yes; RM-yes **MOTION PASS**

**REMINDERS:**

- 1) ***The Next Regular Board of Supervisors Meeting will be held TUESDAY, September 7<sup>th</sup>, at 7:00 p.m.***
- 2) ***The Park and Recreation will hold their monthly meeting on Thursday, August 19<sup>th</sup>, at 6:00 p.m.***
- 3) ***The Planning Commission will hold their monthly meeting on Monday, August 23<sup>rd</sup>, at 6:00 p.m. (If needed).***
- 4) ***The Municipal Office will be closed on Monday, September 6<sup>th</sup> in observance of Labor Day holiday. The Transfer Station will remain open.***

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**DANA VITALE**  
TOWNSHIP SECRETARY

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**ROGER MECKES**  
CHAIRMAN, BOARD OF SUPERVISORS