

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

MEETING MINUTES

September 6, 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
Scott Lignore, Supervisor
James Denier, Supervisor (sworn in)
Patrick Holland, Supervisor

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

DISCUSSION / APPOINTMENT OF NEW TOWNSHIP SUPERVISOR

MOTION made by Supervisor Meckes, Second by Supervisor Lignore to **APPOINT** James Denier as a new Township Supervisor to fill the vacant seat until the next municipal election in 2024.

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

SWEARING IN OF NEWLY APPOINTED TOWNSHIP SUPERVISOR JAMES DENIER.

A. EXECUTIVE SESSION: was held from 6:00-7:00 p.m. to discuss potential litigation.

B. PUBLIC COMMENTS: (3 Minute Limit)

Larry Dusablon- TT- Discussed the consequences of paying your taxes late and speed limits on the roads and breaking the law. He discussed the STR Ordinance and the consequences of not abiding and complaints that have been filed multiple times. He discussed the enforcement of the Ordinance

regarding violations and letters being sent. The BOS are currently looking into making reasonable changes to the wording in specific sections of the Ordinance. Peggy Dusablon discussed the issues with being disturbed and action being taken. The Township has sent out numerous violations. Larry Dusablon discussed that the situation needs to be rectified and the bad behavior be prevented. Peggy Dusablon showed the BOS where her house is situated and the STRs around her. She is hoping that the BOS will work together and take action and think about the full time residents. Attorney Nanovic discussed the scenario regarding multiple violations and having your license suspended for a year. The BOS discussed the possibilities to address the problem with administrative consequences versus criminal.

Chuck Weidman- approached the BOS with questions regarding the definition of family. Attorney Nanovic read and explained Section 202 of the Zoning Ordinance. Chuck Weidman read from the Ordinance regarding the protection of the systems and wells and the overloading of the septic systems. The BOS explained the septic requirements are pretty strict. Chuck Weidman discussed a property in violation. The BOS explained that a complaint should be submitted to township and reported so the township can follow up. 185 Marketing Violations have been sent out. Chuck Weidman discussed the issue with the Ordinance protecting the R1& R2 district and the lake developments.

Eileen Rugh- questioned the BOS regarding fines for properties that have a complaint submitted. The BOS mentioned not if the incident is resolved. The BOS discussed as stated in the Ordinance if they don't fix the issue within that period of time then they committed a crime. The BOS has discussed issuing an administrative fine. Attorney Nanovic discussed the Zoning Code in PA. Eileen discussed the acreage that are available and the possibilities of other businesses in the R2 district. Eileen questions as to where she could find information regarding future land. The BOS - the local paper and website. Eileen discussed an issue with ads posting to bring your own firewood.

C. MEETING MINUTES:

1) REGULAR BOS MEETING ON AUGUST 1, 2022

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to approve the BOS Meeting Minutes from AUGUST 1, 2022.

ROLL CALL: RM=yes; CB=yes; SL=yes; JD=abstain; PH=yes **MOTIONPASSED**

2) SPECIAL BOS MEETING ON AUGUST 8, 2022

MOTION made by Supervisor Bartulovich, Second by Supervisor Meckes to approve the SPECIAL BOS Meeting Minutes from AUGUST 8, 2022.

ROLL CALL: RM=yes; CB=yes; SL=yes; JD= abstain; PH=yes **MOTIONPASSED**

3) SPECIAL BOS MEETING ON AUGUST 30, 2022

Due to the length of transcription and for accuracy; 8/30 minutes will be approved at the October 3rd meeting.

D. SECRETARY: ACKNOWLEDGE CORRESPONDENCE RECEIVED

1) ELLIOTT GREENLEAF & DEAN - ARPA FUNDS (NO MOTION)

Law firm can provide assistance regarding ARPA funds.

2) JIM THORPE ROTARY 25TH ANNUAL SUMMER RECREATION PROGRAM (NO MOTION)

The Rotary would like to thank the Board for their support and donation of \$1,000 to the Summer Recreation Program.

3) JIM THORPE LIONS CLUB 27th ANNUAL HALLOWEEN PARADE

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to allow Penn Forest Township Fire Police #1 & #2 to provide traffic control for the Saturday, October 22nd (rain date 10/23) Halloween Parade to begin at 2:00 p.m.

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

4) FIRE CO. #2 ANNUAL GOLF OUTING- THANK YOU LETTER RECEIVED (NO MOTION)

Fire Co. #2 would like to thank the Township for sponsoring a hole.

5) LETTER FROM RESIDENT- GARBAGE PERMIT NEVER RECEIVED

Mrs. Barbara Grabowski would like the Township to issue a replacement card without cost. The pro-rated fee from 9/2-9/8 is \$32.64. Mrs. Grabowski declined and stated she would not be back here until December.

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to pay the prorated fee to receive a new garbage permit.

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

E. TREASURER'S REPORT:

(a) MAUCH CHUNK TRUST COMPANY (Statement balance as of 8/31/2022)

Township General Fund:	\$ 3,371,941.84	State Liquid Fuels Fund:	\$ 268,278.48
Sanitation Fund:	\$ 49,421.70	Payroll:	\$ 12,515.75
Septic Fund:	\$ 349,653.04	Debit Card	\$ 4,984.11
SALDO:	\$ 483,567.77	Fire Escrow:	\$.00
Rent :	\$ 77.19	American Rescue	\$ 1,625.70
TOTAL:			\$4,542,065.58

(b) MAUCH CHUNK TRUST COMPANY – Certificates of Deposit (as of 8/31/2022)

Account Ending: #1841 -	\$ 3,613,039.74	(3 month CD)
#5851 -	\$ 259,598.25	(6 month CD)
#1301 -	\$ 2,050,943.38	(13 month CD)
TOTAL:	\$ 5,923,581.37	

TOTAL FUNDS ON DEPOSIT: \$ 10,465,646.95

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

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

2) PAYMENT OF THE BILLS FOR AUGUST 2022

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to pay the bills for AUGUST 2022.

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

F. OLD BUSINESS:

1) FIRE COMPANIES - FIRE TRUCK AGREEMENT

Tabled until next month.

2) PIPE REPLACEMENT- SHIFFER BITUMINOUS QUOTE- FOREST STREET

Shiffer Bituminous quote \$9,200.00 (without permits) to replace double 24' pipe on Forest Street and top with 9.5 wearing course.

MOTION made by Supervisor Meckes, Second by Supervisor Lignore, to ACCEPT quote received from Shiffer Bituminous to replace pipe on Forest Street, total cost (without permits) \$9,200.00, capped at allowable \$11,800.00.

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

3) SHORT-TERM RENTALS - MINIMUM DISTANCE REQUIRMENT

Attorney Nanovic submitted the first draft of the amendment to the zoning ordinance requiring a minimum distance between short-term rentals in residentially zoned districts.

MOTION made by Supervisor Holland, Second by Supervisor Lignore, to accept and send to the PFT Planning Commission and Carbon County Planning Commission for 30 day review.

ROLL CALL: RM- No; CB- No; SL-No; JD-No; PH- Yes **MOTION FAILED**

G. NEW BUSINESS:

ROGER MECKES, CHAIRMAN

1) DISCUSSION: SHORT-TERM RENTALS - ZONING PERMIT FEE

Township Secretary is requesting confirmation to charge STRs \$100.00 Zoning Permit Fee.

Tabled until reevaluation of the entire fee schedules.

2) HIRE FULL TIME WORKING FOREMAN

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to HIRE Jay York as full-time Working Foreman, rate of \$23.00 p/hr., start date 9/19/22.

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

3) ADVERTISE FOR WINTER SNOW REMOVAL BIDS

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to advertise for winter snow removal bids.

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

4) SET UP 2023 BUDGET MEETING DATES FOR OCTOBER

October 5th; 12th; 19th; 26th at 3:00 p.m.

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

5) FINAL DRAFT ZONING ORDINANCE AMENDMENTS - TRUCK DISTRIBUTION CENTERS (see attached)

Final draft of the zoning amendments addressing Truck Distribution Centers. Approval to send to Carbon County Planning Commission and Penn Forest Township Planning Commission for 30 day review.

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to ACCEPT the final draft of the zoning amendments addressing Truck Distribution Centers to Carbon County Planning Commission and Penn Forest Township Planning Commission for 30 day review.

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

AMENDED TO ADD: schedule public hearing.

MOTION made by Supervisor Meckes, Second by Supervisor Lignore to schedule the public hearing to adopt the Zoning Ordinance Amendments (Truck Distribution Centers) for 11/7 at 6:00 p.m.

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

6) AWARD BID – PENN FOREST PUMP TRACK

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to accept the BID from Dirt Sculpt for the amount of \$85,000.00 for the Penn Forest Pump Track.

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

7) DONATION TO FIRE CO. #1 FOR CLEANING SERVICE

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to DONATE \$150.00 for cleaning service after STR meeting held on August 30, 2022.

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

8) APPOINT OFFICE LIAISON TO REPLACE TOM CROSS

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich to APPOINT Supervisor, Pat Holland as office liaison.

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

9) PROPOSAL- RAMP /RETAINING WALL PROJECT

Transfer Station open top dumpster ramp/wall.

MOTION made by Supervisor Meckes, Second by Supervisor Lignore, to ACCEPT BIA proposal, lump sum of \$24,900.00.

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

10) HONDA SIDE BY SIDE UPGRADE TO 2023

Honda switched the 2022 SXS700 to a 2023, increased price of \$700.00.

MOTION made by Supervisor Bartulovich, Second by Supervisor Holland, to APPROVE the 2023 for the increased price of \$700.00.

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

11) KOBALT CONSTRUCTION TRENCH DRAIN PAY APPLICATION #2

MOTION made by Supervisor Meckes, Second by Supervisor Lignore, to APPROVE pay application #2 in the amount of \$50,113.65 for the Transfer Station Trench Drain Project.

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

CHRISTIAN BARTULOVICH, VICE CHAIRMAN

1) PART-TIME CODE ENFORCEMENT OFFICER POSITION DESCRIPTION

MOTION made by Supervisor Bartulovich, Second by Supervisor Meckes, to APPROVE the position description for a P/T Code Enforcement Officer.

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

2) ADVERTISE PART-TIME CODE ENFORCEMENT OFFICER

MOTION made by Supervisor Bartulovich, Second by Supervisor Meckes to advertise to hire part-time Code Enforcement Officer at a rate of \$18.00.

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

3) HIRE CHARLIE SCHMEHL- URBAN RESEARCH & DEVELOPMENT- AMEND THE ZONING ORDINANCE TO ADDRESS SOLAR FARMS – municipal billing rate is \$98.00 p/hr.

MOTION made by Supervisor Bartulovich, Second by Supervisor Holland, to HIRE Charlie Schmehl, Urban Research & Development to amend the Zoning Ordinance to address Solar Farms, rate of \$98.00 p/hr.

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

H. PFT PARK AND RECREATION

1) AMEND FOOD TRUCK LICENSE AGREEMENT- SECTION 7 INSURANCE AMOUNT

MOTION made by Supervisor Lignore, Second by Supervisor Bartulovich, to AMEND Truck License Agreement section 7 insurance property damage amount to \$100,000.00.

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

2) PURCHASE INGROUND MOUNT BENCHES

ULINE Thermoplastic benches with back \$575.00/each 10 total \$5,750.00.

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to PURCHASE (10) benches at total of \$5,750.00.

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

3) ACCEPT LETTER OF RESIGNATION FROM RICH STRACK - P&R COMMITTEE

MOTION made by Supervisor Meckes, Second by Supervisor Bartulovich, to ACCEPT letter of resignation from Rich Strack effective immediately.

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

4) APPOINT RICH STRACK'S REPLACEMENT- P&R COMMITTEE

MOTION made by Supervisor Bartulovich, Second by Supervisor Denier, to APPOINT Holly Rivera to the Park & Recreation Committee effective immediately.

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

I. REPORTS:

ROGER MECKES, ROADMASTER

ROADMASTER REPORT FOR AUGUST 2022

Working Foremen position was filled. Trench drain is wrapping up at the Transfer Station. Grass cutting is slowing down.

TRANSFER STATION -

1) BULK AMOUNT for AUGUST 2022---\$777 .00 Year to Date Total: \$4,979.00

2021-2022 Commercial Permit	(1)	94.29
2021-2022 Pro-Rated Permits	(16)	788.06
2021-2022 Residential Permit	(9)	<u>1,350.00</u>
TOTAL DEPOSITS		<u>\$3,009.35</u>

2) ADMINISTRATIVE REPORTS -

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

Administrative & Financial Requests: (See Attached Lists)

Submitted: 52/ Responded: 52/ Total Hours: 41 hrs.

Zoning & Septic Requests: Submitted: 46 / Responded: 46

J. ZONING DEPARTMENT – Phillip Prout submitted Zoning Report for AUGUST 2022. Philip Prout, BCO reviewed the report.

WAGNER LOT LINE REVISION- (22A-51-C1616 & 22A-51-C1617)
Preliminary/Final Plan Review #2 – New Lot C1617A

a) MOTION made by Supervisor Bartulovich, Second by Supervisor Meckes to ACCEPT SALDO waiver requests **333.31**(provide the location of all trees of 8”in diameter or more) as recommended in Barry Isett’s review letter dated August 16, 2022 and the Planning Commission.

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

b) MOTION made by Supervisor Bartulovich, Second by Supervisor Meckes to conditionally APPROVE preliminary/final **plan** subject to addressing the remaining comments of Barry Isett’s review letter dated August 16, 2022, as recommended by the Planning Commission and the final payment of any outstanding fees.

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

BEING NO FURTHER BUSINESS, MEETING WAS ADJOURNED AT 9:08 P.M.

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

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

REMINDERS:

- 1) *The Next Regular Board of Supervisors Meeting will be held Monday, October 3rd, at 7:00 p.m.***
- 2) *The Park and Recreation will hold their monthly meeting on Wednesday, September 21st at 6:30 p.m. at the park.***
- 3) *The Planning Commission will hold their monthly meeting on Monday, September 26th, at 6:00 p.m. (If needed).***

DANA VITALE
TOWNSHIP SECRETARY

ROGER MECKES
CHAIRMAN, BOARD OF SUPERVISORS