

DINGMAN TOWNSHIP BOARD OF SUPERVISORS
SEPTEMBER 16, 2014 MEETING
AGENDA

**THERE WILL BE AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE PUBLIC COMMENT PERIOD
TO DISCUSS CURRENT LITIGATION (LAKE ADVENTURE)**

1. CALL TO ORDER - Pledge of Allegiance
2. APPROVAL OF MINUTES: September 2, 2014 Meeting
3. OLD BUSINESS
 - a) PSATS Trustees Insurance Trust Agreement proposed changes
 - b) Proposed SALDO Amendment (Ordinance No. 02-2014)
 - c) Other
4. NEW BUSINESS
 - a) 2015 Pension Minimum Municipal Obligation (MMO)
 - b) Other
5. CORRESPONDENCE
 - a) Commissioner Osterberg re: Rt. 209
 - b) Zoning Hearing Board Findings of Fact - Joy
 - c) Chris Wood re: SB-1465
 - d) Parks & Recreation Commission re: landscaping
 - e) Miscellaneous Correspondence
6. SUBDIVISIONS / LAND DEVELOPMENTS
 - a) DWG-NRA Swage Planning Module (Resolution No. PM01-2014)
7. EMERGENCY SERVICES REPORTS
8. ROADMASTER REPORT
9. SEWAGE/ZONING ENFORCEMENT OFFICER REPORT
10. SECRETARY'S REPORT
11. TREASURER REPORT
 - a) Payment of Bills: \$ 113,099.33 General Fund
\$ 2,730.18 Park & Rec Fund
 - b) General Fund Balance: \$ 809,671.13
12. PUBLIC COMMENT PERIOD
13. EXECUTIVE SESSION
14. ADJOURNMENT

- ATTENDANCE:** Thomas E. Mincer, Chairman; Dennis L. Brink, Vice Chairman; Kerry W. Welsh, Supervisor; Karen Kleist, Secretary/Treasurer; John H. Klemeyer, Solicitor; Chris Wood, Sewage/Zoning Enforcement Officer; Bill Mikulak, EMA Coordinator; Tom Stevenson, Milford Fire Dept.; and members of the public and press.
- ITEM NO. 1: CALL TO ORDER** Chairman Mincer called the meeting to order at 7:30 pm opening with the Pledge of Allegiance. There will be an Executive Session following the Public Comment Period to discuss current litigation involving Lake Adventure.
- ITEM NO. 2: APPROVAL OF MINUTES** MOTION was made by Dennis Brink, seconded by Kerry Welsh, and unanimously carried to approve the September 2, 2014 Minutes as presented.
- ITEM NO. 3: OLD BUSINESS**
A) PSATS Trustees Insurance - Revised Trust Agreement This item was tabled until the next meeting.
- ITEM NO. 3(B): Proposed SALDO Amendment (02-2014)** A duly advertised public hearing was held to consider adoption of an amendment to the SALDO ordinance adding recording requirements for Final Plans. The County Planning Commission had no comment and the Township Planning Commission recommended approval. There was no public comment. MOTION was made by Kerry Welsh, seconded by Dennis Brink, and unanimously carried to adopt Ordinance No. 02-2014, amendment to the Subdivision & Land Development Ordinance.
- ITEM NO. 3(C): Other Old Business** There was no Other Old Business at this time.
- ITEM NO. 4: NEW BUSINESS**
A) 2015 Pension Plan MMD Karen Kleist presented the 2015 Minimum Municipal Obligation Worksheet for the Pension Plan. Projecting wages of plan participants through the end of this year and applying them to the formula provided, the 2015 Pension obligation is \$43,890.00. MOTION was made by Dennis Brink, seconded by Kerry Welsh, and unanimously carried to approve the Pension Plan 2015 MMD as presented.
- ITEM NO. 4(B): Other New Business** There was no Other New Business at this time.
- ITEM NO. 5: CORRESPONDENCE**
A) Commissioner Osterberg The Board was in receipt of an email from Commissioner Osterberg containing questions resulting from the last meeting with the National Park Service regarding commercial traffic on RT. 209 and requesting suggestions and input. The Board had no comments.
- ITEM NO. 5(B): Zoning Hearing Board Findings of Fact** The Board was in receipt of the Findings of Fact for the Joy appeal/variance hearing (request was denied), and had no comments.
- ITEM NO. 5(C): Chris Wood re: Senate Bill 1465** Chris Wood provided comments and a copy of SB-1465 which would require municipalities to enact/amend ordinances to prohibit development activities from occurring in riparian buffer areas (defined as a minimum of 100 feet from any stream - 300 feet in EV/HQ watersheds); require 25 foot buffer around any wetland or vernal pond; and restoration of pre-existing developed buffer areas as a condition of state/local approvals. The Board directed a letter be sent to our Representatives/Senator requesting they oppose SB-1465.
- ITEM NO. 5(D): Parks & Recreation Commission** The Board was in receipt of a Memo from the Rec Board requesting the area around the Greening monument and flagpole be dressed up with mulch and some mums; the areas are currently bare dirt. The Board asked Karen to arrange for mulch to be placed.

ITEM NO. 5(E):**Miscellaneous Correspondence**

The Board reviewed various Miscellaneous Correspondence and had no comments.

ITEM NO. 6:**SUBDIVISIONS / LAND DEVELOPMENTS**

A) DWG-NRA Cliff Park Sewage Planning Module: The Board reviewed the Planning Module for a community drip system for the Inn and a couple other buildings, and documentation including Township Engineer's review and recommendation from the Planning Commission for approval. MOTION was made by Dennis Brink, seconded by Kerry Welsh, and unanimously carried to adopt Resolution No. PM01-2014, approving the Planning Module for forwarding to PaDEP.

ITEM NO. 7:**EMERGENCY SERVICES REPORTS**

Tom Stevenson of Milford Fire Dept. reported that there were 13 Fire calls from Aug. 19th to date and 16 EMS calls this month to date. There will be a dedication of the 911 Monument at the firehouse on Sept. 20th at 9 am followed by an Open House at the firehouse from 11:00 to 3:00.

DTVFD Chief Bill Mikulak had no report at this time.

ITEM NO. 8:**ROADMASTER REPORT**

MOTION was made by Kerry Welsh, seconded by Dennis Brink, and unanimously carried to approve the September 1-14, 2014 Roadmaster Report as submitted.

ITEM NO. 9:**SEWAGE / ZONING OFFICER REPORT**

Chris Wood reported on the following: 1) Reminded the Board that there is another Appeal/Variance hearing before the Zoning Hearing Board on September 23rd at 5 pm; 2) Lake Adventure's July Discharge Report showed one day of influent exceeding 160,000 gals and the average sewage produced was down to 152 gpd per occupied unit; 3) HB-1565 (making riparian buffers an optional BMP is making progress.

ITEM NO. 10:**SECRETARY'S REPORT**

1. Response from Senator Toomey supporting our objections to EPA expanding its permitting authority and informing he is a co-sponsor of a bill that would block the EPA from finalizing the rule.
2. The Dingman-Delaware School has an older open roof replacement permit where they have not been able to locate the dumpster receipts nor pictures of the ice/water shield. Karen explained that with old residential re-roof permits in this situation they would just "close" the permit (as opposed to issuing a CO), but this is a commercial permit. The Board felt the same procedure is appropriate.
3. Karen informed the Board of a proposed amendment to the UCC that would require municipalities that contract with a third party agency to contract with at least two to give owners and contractors a choice. It is apparently due to some abuses by third-parties. She stated that it would cause logistical and administrative issues to fix what amounts to be a fairly isolated problem. The Board directed a letter opposing SB-1023 to PSATS and our representatives.
4. Karen reported that she located another remote backup service provider that would be less expensive and received a favorable evaluation from our IT consultant. She asked if the Board had reached a decision on this and the purchase or lease of the wide format scanner. Following discussion, the Board agreed to both items.
5. Karen requested Chris Wood's evaluation of the vault toilet being considered for the Bridge Preserve, and provided his response to the Board.
6. A SALDO Waiver application has been submitted by Jim McLane for his two-lot subdivision where the net acreage of each lot will be just under the 1 acre minimum. She asked the Board if, as provided for in the SALDO, this application should be reviewed at a regular meeting or at a formal public hearing. The Board determined it should be heard at a public hearing.

**ITEM NO. 11:
TREASURER'S REPORT**

MOTION was made by Dennis Brink, seconded by Kerry Welsh, and unanimously carried to approve the September 16, 2014 Treasurer's Report, Bill Payment List and General Fund balance, and to sign the checks following the meeting.

ITEM NO. 12: PUBLIC COMMENT

There were no comments from the public or press.

ITEM NO. 13: EXECUTIVE SESSION

The Board recessed to Executive Session at this time.

ITEM NO. 14: ADJOURNMENT

There being no further business after reconvening the regular meeting, MOTION was made by Dennis Brink, seconded by Kerry Welsh, and unanimously carried to adjourn the September 16th meeting.

Respectfully submitted,

Karen Kleist, Secretary/Treasurer