

DINGMAN TOWNSHIP BOARD OF SUPERVISORS
NOVEMBER 6, 2018 MEETING
AGENDA

1. CALL TO ORDER - Pledge of Allegiance
2. APPROVAL OF MINUTES - October 16, 2018 Meeting
3. PUBLIC HEARINGS
 - a) Habitat for Humanity Conditional Use/Land Development
 - b) Preserve at Milford Hills
4. OLD BUSINESS
 - a) Jim Ott, Sunrise Lake Section 9 Water/Sewer
 - b) EMS Shortage Meeting Update
 - c) Other
5. NEW BUSINESS
 - a) Parks & Recreation Commission - Appointment Recommendation
 - b) Other
6. SUBDIVISIONS / LAND DEVELOPMENTS
 - a) DEPG Final Subdivision
 - b) DeLeon/Benarrivato Lot Improvement
 - c) Hussey Lot Improvement
 - d) Rosso Lot Improvement
 - e) Williams/Cole Waiver of Time Limitations
7. CORRESPONDENCE
 - a) Miscellaneous Correspondence
8. EMERGENCY SERVICES REPORTS
9. ROADMASTER REPORT
10. SEWAGE/ZONING ENFORCEMENT OFFICER REPORT
11. TREASURER'S REPORT / SECRETARY'S REPORT
 - a) Payment of Bills: \$ 16,764.15 General Fund
\$ 253.34 Rec Fund
\$ 70.00 Bridge Preserve Fund
 - b) General Fund Balance: \$ 987,861.57
12. PUBLIC COMMENT PERIOD
13. ADJOURNMENT

- ATTENDANCE:** Thomas E. Mincer, Chairman; Dennis L. Brink, Vice Chairman; Edward D. Nikles, Supervisor; Karen Kleist, Secretary/Treasurer; John H. Klemeyer, Solicitor; Chris Wood, Sewage/Zoning Enforcement Officer; Jim Snyder, Roadmaster.; Gene Ruzanski PE and Mike Donlon for Habitat for Humanity of Pike County; Attorney Marc Wolfe for Milford Realty Building Associates; Attorney Jason Olinger and Jim DiPetri for DEPG Dingman Associates; Jim Ott for Sunrise Lake Section 9 Water & Sewer Assoc.; and members of the public and press.
- ITEM NO. 1: CALL TO ORDER** Chairman Mincer called the meeting to order at 7:00 pm opening with the Pledge of Allegiance.
- ITEM NO. 2: APPROVAL OF MINUTES** MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the October 16, 2018 Minutes as presented.
- ITEM NO. 3: PUBLIC HEARINGS**
**A) Habitat for Humanity of Pike County
Conditional Use and Preliminary Land
Development Plan**
- A duly advertised public hearing was held to consider the Conditional Use Zoning application of Habitat for Humanity of Pike County to construct a contractor warehouse on their property located on Fisher Lane. There were no interested parties other than the Township and applicant. The Preliminary Land Development Plan was also reviewed at this time
- Gene Ruzanski, Engineer for the Applicant, testified that Habitat is seeking to construct a 4,950 sq.ft. storage building for materials and donated items used in constructing homes for their participants. Due to design constraints, truck access will be limited to a maximum of a 40' box truck. In order to comply with the Township's requirement of 80' between driveways, they are proposing to add a berm blocking access from the stone driveway to the storage building on the Township's Grange property (access will be from the paved parking lot).
- The Planning Commission recommended approval subject to two conditions: (1) the proposed driveway modification at the Township Grange property must be approved by the Supervisors; and (2) access is limited to a maximum of a 40' box truck, and signage noting the limitation be placed on the property (language and location of signage will be included on Final Land Development Plan).
- MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the Conditional Use Zoning application No. 275-18 and the Preliminary Land Development Plan subject to the two conditions recommended by the Planning Commission noted above. NOTE: A Court Stenographer was present and the transcript will be maintained in the Zoning permit file.
- ITEM NO. 3(B):
Preserve at Milford Hills**
- A duly advertised Public Hearing was held to consider revoking the subdivision approvals of the Preserve at Milford Hills due to the developer and/or its bonding company to provide appropriate ongoing improvement guarantees for incomplete improvements. Present for the Developer, Milford Realty Building Associates, was Attorney Marc Wolfe. Additional approved parties were : Harold Urmston, Bruce Desarro, Ron Crawford, and Attorney John Stieh for Adrienne Guisti, all residents in the Preserve at Milford Hills.
- Solicitor Klemeyer stated that the development received subdivision approvals many years ago; four bonds have been in place over the years to cover required improvements not yet installed. The current bond went into receivership approximately three years ago, and the developer has not provided a replacement bond or completed the improvements.
- Since notifying the Developer of the impending Hearing (originally to be held in August), he has since proposed obtaining a new bond and updated Developers Agreement. Solicitor Klemeyer asked the property owners present if they objected to this course of action, and all stated they had no objection.
- Solicitor Klemeyer stated that rather than proceed with exhibits and such working towards revocation of approvals, since all appear willing to negotiate a new bond, the Hearing will proceed in

that direction.

The proposed draft agreement calls for an improvement guarantee of \$608,807.90, the same amount in place for a few years. Solicitor Klemeyer suggested that the Developer's engineer review the cost estimate to assure/certify it is still accurate. Attorney Wolfe stated that the Developer is retaining Gilmore Associates, but the personnel that worked on this project in the past are no longer there, so they are getting familiar with the project. Chairman Mincer added that the last bonding company going bankrupt is cause for concern; he would like to see the new company have a higher rating and more assets.

The proposed Bond/Agreement runs through November 30, 2020. Solicitor Klemeyer expressed the Township's concern that the final top coat has not been applied to the roads in the area of the houses; as a matter of fact, the requirement for that work to be done has been removed from the current draft. Supervisor Mincer stated that the gate at the back entrance has been cut open quite a while ago and has not been fixed.

Township Engineer Mike Weeks submitted his findings of an on-site review conducted at the Preserve on November 6, 2018. He found that the routine maintenance and brush clearing in the accessible areas (i.e. the areas currently occupied) has generally been satisfactorily completed. However, it appears that little or no required maintenance has been completed in the unoccupied areas, including around the fire protection tanks, stormwater features and road side swales. The binder course appears to be in good general condition, some areas will need spot repairs. Photos were included.

Solicitor Klemeyer suggested the Developer reimburse the Township for expenses relative to the bonding issues.

Mr. Urnstom requested that the rear entrance gate be addressed and suggested the possibility of posting no trespassing signs.

Solicitor Klemeyer suggested continuing the Hearing to allow for receipt of a report from the Developer's Engineer. He suggested the December 4, 2018 meeting, which the Board was in favor of. Attorney Wolfe commented that with the Holidays, that doesn't leave much time. The Board upheld continuing to December 4th.

ITEM NO. 4: OLD BUSINESS

**A) Jim Ott, Sunrise Lake Section 9
Water & Sewer**

Jim Ott was present to provide the Board with a cost estimate for a new wastewater system (\$545,000) and a new Commercial water well system (\$214,862.00). They have been meeting with PennVest regarding low interest loans. As their Engineer mentioned, it may not prove cost effective for the 39 home owners in Section 9. In mid December they will be meeting with the property owners to present "Option B", which would include utilizing the existing mound to its capacity and putting the rest in a holding tank. The details of "Option B" are still being worked out.

Chairman Mincer noted that the costs work out to about \$20,000 per property; basically the same cost as it would be for an on-lot septic and well.

Mr. Ott will provide an update on what the property owners have decided at the Board's December 4th meeting. NOTE: Solicitor Klemeyer again abstained from all discussions concerning Sunrise Section 9 as he has a conflict.

**ITEM NO. 4(B):
EMS Shortage Meeting**

The Board was in receipt of an email from the Committee informing that Commonwealth Health has agreed to provide an ALS service for six months free of charge to assist with calls in Westfall, Shohola, Milford, Dingman and Delaware Townships and Milford and Matamoras Boroughs. They will be located in Milford.

**ITEM NO. 4(C):
Other Old Business**

There was no Other Old Business at this time.

ITEM NO. 5: NEW BUSINESS**A) Parks & Recreation Commission -
Appointment Recommendation**

The Rec Board received a letter of interest from George Kleist to serve as an Alternate to the Parks & Recreation Commission; they requested the Board consider his appointment. MOTION was made by Thomas Mincer, seconded by Dennis Brink, and unanimously carried to appoint George Kleist as an Alternate Member on the Parks & Recreation Commission.

ITEM NO. 5(B):**Other New Business**

There was no Other New Business at this time.

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

- A) DEPG Final Subdivision: The Board reviewed the proposed final subdivision and documentation including: recommendation from the Planning Commission for approval; Township Engineer verification that the property corners/markers have been set; and the draft Developers Escrow Agreement. James DePetris of DEPG and Attorney Jason Ohliger were present. All conditions of Preliminary Subdivision have been satisfied. Bonding of the highway access is proposed, which will be finalized at the closing between Hunt Horizons and DEPG. They are requesting Solicitor Klemeyer deliver the signed maps and Agreement to the closing at which time all will be executed and the Letter of Credit provided to the Township. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the DEPG Final Subdivision Plan, and to authorize the Board of Supervisors to sign the maps and Agreement outside a meeting; both documents will be held by the Township Solicitor and released upon receipt of the Letter of Credit/Agreement.
- B) DeLeon/Benarrivato Lot Improvement: The Board reviewed the proposed lot improvement and documentation including deeds, recommendation from the Planning Commission for approval; and letters of adequacy from the Township Engineer and County Planning Commission. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the Eliana DeLeon and Antonio Benarrivato Lot Improvement combining lots 5 & 6A, Block 2, Section 4 of Sunrise Lake, to be known as lot 6R.
- C) Hussey Lot Improvement: The Board reviewed the proposed lot improvement and documentation including deeds, recommendation from the Planning Commission for approval; and letters of adequacy from the Township Engineer and County Planning Commission. MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the Joseph & Ellen Hussey Lot Improvement combining lots 44 & 45, Block 3, Section 3 of Sunrise Lake, to be known as Lot 44A.
- D) Rosso Lot Improvement: The Board reviewed the proposed lot improvement and documentation including deeds, recommendation from the Planning Commission for approval; and letters of adequacy from the Township Engineer and County Planning Commission. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the James & Joann Rosso Lot Improvement combining lots 12, 12A, & 13B, Block 1, Section 4 of Sunrise Lake, to be known as Lot 12R.
- E) Williams/Cole Waiver of Time Limitations: The Board was in receipt of an executed Waiver of Time Limitations and a recommendation from the Planning Commission for approval. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to accept and approve the Waiver of Time Limitations on the Williams/Cole submissions.

ITEM NO. 7: CORRESPONDENCE**A) Miscellaneous Correspondence**

The Board reviewed various Miscellaneous Correspondence and had no comments.

ITEM NO. 8:**EMERGENCY SERVICES REPORTS**

The Board was in receipt of written reports from the Dingman Twp. Volunteer Fire Dept. In September there were 18 Fire and 110 EMS calls; in October there were 32 Fire and 98 EMS calls.

The held Fire Prevention programs at Ding-Del Primary School and Little Wonders Daycare. During the two months they also assisted with the Tunnels to Towers 5K in Gold Key, Milford Borough's Safety Day, and three Trunk or Treat events.

**ITEM NO. 9:
ROADMASTER REPORT**

MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the October 8-21, 2018 and the October 22-November 4, 2019 Roadmaster Reports as presented by Jim Snyder.

**ITEM NO. 10:
SEWAGE / ZONING OFFICER REPORT**

Chris Wood reported that he attended Spotted Lanternfly training and will be attending a November 19th meeting at which FEMA will be discussing the revised floodplain maps expected to go into effect next year.

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

MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the November 6, 2018 Treasurer's Report, Bill Payment List, and General Fund balance, and to sign the checks following the meeting.

ITEM NO. 12: PUBLIC COMMENT

There was no comment from the public or press.

ITEM NO. 13: ADJOURNMENT

There being no further business, MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to adjourn the November 6th meeting.

Respectfully submitted,

Karen Kleist, Secretary/Treasurer