

DINGMAN TOWNSHIP BOARD OF SUPERVISORS
JULY 2, 2019 MEETING
AGENDA

**THERE WILL BE AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE PUBLIC COMMENT PERIOD
TO DISCUSS POTENTIAL LITIGATION /CODE VIOLATIONS**

1. CALL TO ORDER - Pledge of Allegiance
 2. APPROVAL OF MINUTES: June 18, 2019 Meeting
 3. PUBLIC HEARINGS
 - a) PMWL Salt Shed Conditional Use & Preliminary Land Development
 4. OLD BUSINESS
 - a) Har Haven SALDO Waiver Hearing Continuance date
 - b) Preserve at Milford Hills
 - c) Bridge Preserve Pavilion Reservation Policy
 - d) Other
 5. NEW BUSINESS
 - a) Matthew Johnson/Clemleddy Construction - accessory building with restroom
 - b) Budget Amendment - Resolution No.2019-06
 - c) Other
 6. CORRESPONDENCE
 - a) Woodland Design Assoc. - Sengun Wetlands Crossing Notification
 - b) Pike County Tax Administration - Palenik Veteran's Exemption
 - c) Miscellaneous Correspondence
 7. EMERGENCY SERVICES REPORTS
 8. ROADMASTER REPORT
 9. SEWAGE/ZONING/CODES ENFORCEMENT OFFICER REPORT
 10. TREASURER'S REPORT / SECRETARY'S REPORT
 - a) Payment of Bills: \$ 52,020.41 General Fund
 \$ -0- Rec Fund
 \$ 25,505.59 Fire Tax Fund
 - b) General Fund Balance: \$ 1,198,790.25
 11. PUBLIC COMMENT PERIOD
 12. EXECUTIVE SESSION
- 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; Joe Hudak, PE for PMWL-PDA; Mathew Johnson; 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 June 18, 2019 Minutes as presented.
- ITEM NO. 3: PUBLIC HEARINGS**
A) PMWL-PDA Salt Shed Conditional Use & Preliminary Land Development A duly advertised public hearing was held to consider the conditional use application of Pocono Mt. Woodland Lakes Property Owners Association to construct an additional salt shed and a storage building at the Maintenance Yard located on Marigold and Sunflower Lanes. The Preliminary Land Development plans for same were also reviewed at this time. Solicitor Klemeyer has a conflict and did not participate. The Hearing was led by Chairman Mincer. The following items were entered into the record: Township's #1 - Legal Notice; T-2 - Certificate of Posting; T-3 - June 13, 2019 letter from Planning Commission recommending approval; T-4 - Township Engineer's Technical Review Comments dated May 24, 2019; T-5 - Pike County Planning Commission review letter dated May 30, 2019; T-6 - Pike County Conservation District letter of adequacy; T-7 - Certificate of Incumbency; Applicant's #1 - Project Narrative; and A-2 - Map dated 5/6/19. Following the overview, the Board had no questions. No public comment was received. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the PWL-PDA Conditional Use Application #093-19 and the Preliminary Land Development plans dated 5/6/19.
- ITEM NO. 4: OLD BUSINESS**
A) Har Haven SALDO Waiver Hearing The Board received a letter from attorney Anthony Waldron on behalf of Har Haven requesting a continuance to the July 1, 2019 Hearing to allow additional time to have a meeting with the Estates at Mt. Haven POA. Chairman Mincer has a conflict and abstained from discussion; Ed Nikles has a potential conflict, but participated as it is purely an administrative issue. Dan Maskitola, Treasurer and Carol Ryan, Secretary of the Country Estates at Mt. Haven POA were present and informed the Board that they have no appetite to change the main access to their community from Mt. Haven Drive to Pompeii Lane, and have again notified Har Haven. They asked why the hearing has to keep dragging on. Solicitor Klemeyer explained that we have an application before us that requires a public hearing; unless the applicant withdraws the application, the Township must proceed. MOTION was made by Dennis Brink, seconded by Ed Nikles, and carried to continue the Public Hearing to August 19, 2019 at 6:00 pm.
- ITEM NO. 4(B):**
Preserve at Milford Hills Nothing new has been received on the new bond yet. Rather than pre-screen the bonding company, it was decided to deal with the issue when the bond is submitted. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to execute the Development Agreement (Fifth Amendment) for the Preserve at Milford Hills.
- ITEM NO. 4(C):**
Bridge Preserve Pavilion Reservation Policy The Board received an email from the Rec Board informing that they see no problem with the yoga classes being held in the Preserve provided that all proceeds are donated to the Township. MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the request of Patricia Krol to hold her Saturday yoga class at the Preserve pavilion for the rest of this season, provided a certificate of insurance is provided and the proceeds are donated to the Preserve. The Board also requested that the Rec Board work on a formal policy for the pavilions.
- ITEM NO. 4(D)**
Other Old Business There was no Other Old Business at this time.

ITEM NO. 5: NEW BUSINESS**A) Matthew Johnson - accessory building with restroom**

Matthew Johnson was present to discuss his permit application to construct a large detached garage with a restroom (half bath) at his property on Raymondskill Road. He stated that the building will contain a garage with a hobby shop. He affirmed that there is no intention of making any of the area "habitable (living) space". Chris Wood stated that a sewage permit will be needed for connection to the sewage system as it was not included on the original permit for the house that is under construction. Solicitor Klemeyer explained that the Township would require a recorded covenant limiting use of the building (no living space) if he wishes to continue. Mr. Johnson will draft a covenant for review by Solicitor Klemeyer and final approval by the Board.

ITEM NO. 5(B):**Budget Amendment - Res. No. 2019-06**

Karen Kleist presented a Budget Amendment Resolution to cover recent projects that have been initiated - Park Pavilion construction, new well and parking lot lights conversion to LED at Park. MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve Resolution No. 2019-06, Budget Amendment.

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

There was no Other New Business at this time.

ITEM NO. 6: CORRESPONDENCE**A) Woodland Design Assoc. - Sengun Wetlands Crossing Notification**

The Board received notice that a Wetlands Crossing permit is being filed with DEP for the Sengun's driveway on Raymondskill Road. The Board had no comment.

ITEM NO. 6(B):**Pike County Tax Administration**

The Board was in receipt of notice that Palenik's have been approved for a Disabled Veterans property tax exemption effective May 15, 2019, and are requesting a refund of 2019 taxes. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the request and issue a refund for 8 months of the 2019 Township tax.

ITEM NO. 6(C):**Miscellaneous Correspondence**

The Board reviewed various Miscellaneous Correspondence and requested the Secretary to contact Delaware Township to set up a fact-finding workshop regarding the EMS "crisis".

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

There were no reports at this time.

ITEM NO. 8:**ROADMASTER REPORT**

MOTION was made by Thomas Mincer, seconded by Ed Nikles, and unanimously carried to approve the June 17-30, 2019 Roadmaster Report as submitted.

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

Chris Wood reported that the Ding-Del School again exceed the N+N limits; received notification that DEP Safe Drinking Water Program that Har Haven's water system has been approve for use; and the Ferran's are requesting "Pond Ferran Way" for their shared driveway. MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the road name "Pond Ferran Way" for the Ferran's two-lot road.

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

MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the July 2, 2019 Treasurer's Report, Bill Payment List, and General Fund balance, and to sign the checks following the meeting.

ITEM NO. 11: PUBLIC COMMENT

No comments were received from the public.

ITEM NO. 12: EXECUTIVE SESSION

The Board recessed to Executive Session to discuss potential litigation on code violations at this time.

ITEM NO. 13: ADJOURNMENT

There being no further business after reconvening the regular meeting, MOTION was made by Ed Nikles, seconded by Thomas Mincer, and unanimously carried to adjourn the July 2nd meeting.

Respectfully submitted,

Karen Kleist, Secretary/Treasurer