

DINGMAN TOWNSHIP BOARD OF SUPERVISORS
JUNE 1, 2021 MEETING
AGENDA

**THERE WILL BE AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE
PUBLIC COMMENT PERIOD TO DISCUSS A PERSONNEL MATTER.**

1. CALL TO ORDER - Pledge of Allegiance
2. PUBLIC HEARING
 - a) Har Haven Conditional Use
3. COVID-19 RELATED
 - a) Continuity of Operations Plan Update
4. OLD BUSINESS
 - a) Sunrise Lake Section 9 Water & Sewer
 - b) Garage Project – Payment Approval
 - c) Blooming Grove Twp EMS Meeting – Letter from Commissioners
 - d) Other Old Business
5. NEW BUSINESS
 - a) Zero-turn mower prices
 - b) Other New Business
6. CORRESPONDENCE
 - a) Habitat for Humanity of Pike County
 - b) Milford Township Board of Supervisors
 - 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: \$ 32,876.68 General Fund
 \$145,353.60 Capital Reserve Fund
 \$ 25,853.19 Fire Tax Fund
 - b) General Fund Balance: \$ 1,420,368.55
11. PUBLIC COMMENT PERIOD
12. EXECUTIVE SESSION
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; Attorney Fuscaldo, Will Whitehead, and Nathan Birnhack for Har Haven LLC. Present remotely: Mark Siegel of SCHI; 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. He announced that The Preserve at Milford Hills is added to the Agenda under Old Business.

**ITEM NO. 2: PUBLIC HEARING
Har Haven Conditional Use**

A duly advertised Conditional Use Hearing was held to consider the application of Har Haven LLC to increase occupancy of the resort to 156 during the six weeks in June/July that the property is used exclusively by the School for Children With Hidden Intelligence (SCHI). Chairman Mincer restated that he has a conflict and would abstain from participation in the Hearing. Supervisor Nikles has a lesser degree of conflict, but will participate in order to maintain a quorum.

The following exhibits were entered into the record: T1 – Proof of Publication; T2 – Letter from the Planning Commission recommending approval subject to the finalization of the Operations & Maintenance Agreement and sewage systems bonding; T3 – O&M Agreement for Sewage Systems, which will also include a bond to cover the potential cost of a replacement system.

In addition to the Township and applicant, Jason Feese, 105 Lassen Lane, requested to be a party to the Hearing. Following discussion, Mr. Lassen withdrew his request. He wished to comment that guests of Har Haven frequently go through their community, and if the occupancy increases, so will the likelihood of those traveling into the community.

Attorney Fuscaldo stated that in 2016 SCHI started using the facility at up to 156 people on site. The Temporary Certificate of Use did not stipulate a maximum occupancy. Nathan Birnhack testified that they have group events most weekends from April through September except for the six weeks it is used exclusively by SCHI. The summer program includes teachers, therapists and support staff in addition to the children. Occupancy during SCHI averages 140, with a maximum of 156. There will be no additional structures built, no change in operations, parking, or traffic.

Solicitor Klemeyer asked if they would be willing to notify the Township of the dates SCHI will occupy the premises each year. Mr. Birnhack agreed; this year it will be from June 30th to August 8th.

Will Whitehead, a Soil scientist and SEO with Kiley Associates, testified that he conducted testing of the 7 individual existing systems and testing for a replacement system if one will be needed. In his opinion there is no evidence of previous failures, and they should be able to handle 156 occupants for six weeks per summer. In response to questions from Solicitor Klemeyer, Mr. Whitehead has been retained to calculate costs for a replacement system, which he should have within the next week.

Supervisor Brink asked if they had a COVID-19 Plan in place? Mr. Birnhack replied that they did.

Public comment centered primarily around conditions that could be unsafe for children such as the state of disrepair of the Gazebo, a pile of wood and mattresses and garbage in the back of the property. It was agreed to place caution tape around the gazebo.

Following closing the Hearing, Supervisor Brink made a motion to approve the Conditional Use application of Har Haven LLC to increase the maximum occupancy of the resort to 156 for the six weeks each summer that it is used by SCHI based upon the testimony given and the recommendation of the Planning Commission, subject to securing the gazebo to prevent access, finalization of the O&M Agreement, and providing an adequate bond for a replacement sewage system. Ed Nikles seconded the motion. Chairman Mincer abstained. It is noted that a court stenographer was present and the transcript will be maintained in the permit file.

ITEM NO. 3: COVID RELATED

Karen Kleist presented a draft of the updated Operations Plan. The Board approved the draft with the addition that fully vaccinated employees do not need to wear masks; we will return to in-person meetings, but the next one will also be available on zoom; staff can meet with the public in the meeting room, but public should not enter the inner office areas.

**ITEM NO. 4: OLD BUSINESS
A) Sunrise Lake Section 9**

Nothing new was received from Sunrise Lake Section 9.

**ITEM NO. 4(B):
Garage Project Payment Approval**

The Board was in receipt of a request for payment from the contractor that was reviewed and approved by the Project Manager. MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the net payment to Map-Paul Company in the amount of \$145,353.60.

The Board discussed the error in roof pitches; the roof on the existing part of the garage is 4/12, and the new addition is 3/12. At a site meeting, it was determined the best "fix" was to build a parapet. The Board maintains that the error is between the contractor and design professional and payment for the extra work should be between them.

**ITEM NO. 4(C):
Blooming Grove Twp. EMS Meeting**

Supervisors Nikles and Mincer informed that the Commissioners are considering matching up to 2 mils to match what municipalities are paying for EMS services. A letter from the Commissioners confirmed this, and they are requesting the annual EMS allocation each municipality has been paying to assist with developing draft guidelines.

**ITEM NO. 4(D):
Preserve at Milford Hills**

The Board was in receipt of an email from the Developer asking if the Board would consider a six-month extension from the Agreement deadline in November 2021. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve a six-month extension subject to the bond and Agreement being amended.

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

Karen Kleist informed the Board that she received a call from the PMWL Manager that the POA only wants to grant a construction easement on the Van Auken Hill culvert replacement, but were opposed to the permanent maintenance easement. The Supervisors stated that we need their response in writing; it would also be nice to know why they are opposed to the maintenance easement.

**ITEM NO. 5: NEW BUSINESS
A) Zero-turn mower prices**

The Board looked over three quotes – from \$4,999.99 for a 48" up to \$9,350 for a 60". Following discussion, MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to purchase the 48" E Series for \$4,999.99 for the shop/office and to send our existing commercial mower to the park.

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

There was no Other New Business at this time.

**ITEM NO. 6: CORRESPONDENCE
A) Habitat for Humanity**

The Board was in receipt of an invitation to attend the Dedication Ceremony of their 31st home and the ground breaking for the 32nd home on June 14 at 9 am at the home in Sunrise Lake.

**ITEM NO. 6(B):
Milford Township Board of Supervisors**

The Board was in receipt of notification from Milford Township that they are requesting County SRCP funds for a Comprehensive Plan and is inquiring of adjacent municipalities the potential interest in a multi-municipal Plan. The Board is not interested in a joint Comprehensive Plan at this time,

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

The Board reviewed various Miscellaneous Correspondence and had no comments.

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

DTVFD Chief Mark O'Brien reported that there were 41 Fire and 95 EMS (48 in Dingman) calls in May. They are re-opening the Hall for rentals.
EMA Coordinator Bill Mikulak asked if there has been any news on the traffic light at Log Tavern/739. The partial excavation done for the light is a potential hazard. The Secretary was directed to contact PennDOT and Delaware Township to find out what the status is.

**ITEM NO. 8:
ROADMASTER REPORT**

MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the May 17-31, 2021 Roadmaster Report as submitted.

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

Chris Wood reported that it has been very busy permit-wise; he attended a SAC meeting via Zoom. He requested an Executive Session regarding a potential violation.

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

MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the June 1, 2021 Treasurer's Report, Bill Payment List, and General Fund balance, and to sign the checks following the meeting.

ITEM NO. 11: PUBLIC COMMENT

Jim DePetris and Doug Olmstead of DEPG were present with an update on the proposed Dingman Towne Centre. The mixed use project proposes to use 1/3 of the parcel and contain residential, senior townhouses, and commercial. Discussion ensued as to whether Dingman considers apartment buildings residential or commercial; they are definitely residential. Mr. DePetris was interested in obtaining Township Engineer and Solicitor feedback. It was clarified that in order for reviewed to be done, a formal Sketch Plan and review fees need to be submitted. A check and signed application were submitted to the Secretary at the meeting.

ITEM NO. 12: EXECUTIVE SESSION

The Board recessed to Executive Session at this time.

ITEM NO. 13: ADJOURNMENT

There being no further business after reconvening the regular meeting, MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to adjourn the June 1st meeting.

Respectfully submitted,

Karen Kleist, Secretary/Treasurer