Supervisors Meeting – September 14,2021

The Regular Meeting of the Sugarloaf Township Supervisors was held on Tuesday, September 14, 2021, at 7:00 P.M. at the Municipal Building, 858 Main Street, Sugarloaf, PA 18249. The meeting was duly advertised in the Standard Speaker on December 15, 2020.

**Attendance:** In attendance were Chairman Rick Weaver, Supervisor Richard Yost, and Supervisor Joseph DiSabella. Also in attendance were Township Engineer Joe Brutosky, Zoning Officer Henry Mleczynski and Township Office Manager Elizabeth Tolan.

**Pledge of Allegiance**

**There was no public comment on the agenda.**

**Executive Work Session:** An Executive Work Session was held on August 26, 2021, for personnel reasons.

**Minutes**: Chairman Weaver asked if there were any additions or corrections to the Minutes of the Regular Meeting held on August 10, 2021. A motion was made by Supervisor Yost, seconded by Supervisor DiSabella, to approve the minutes of the Regular Meeting as presented. The motion passed unanimously, and copies were placed on the front table for public review.

**Public Hearing:** Chairman Weaver asked if there were any additions or corrections to the Minutes of the Public Hearing held on August 12, 2021, for the purpose of the Supervisors to consider a rezoning request from Tom Trella of Sugarloaf 93, LLC. A motion was made by Supervisor DiSabella, seconded by Supervisor Yost, to approve the minutes of the Public Meeting as presented. The motion passed unanimously.

**Police Station Parking Lot:** Chairman Weaver asked for any outstanding bids. The bids were duly advertised in the Standard Speaker on August 27, 2021, and September 2, 2021. The bids were for the excavation and paving of the new Police Station Parking Lot. Please refer to the last page of the Minutes for Bid Tabulation Sheet for submitted bids. A motion was made by Chairman Weaver, seconded by Supervisor Yost to award the bid for the excavation and paving of the new Police Station Parking Lot to Don E. Bower Inc. Asphalt Paving & Excavating in the amount of $30,735.00. The motion passed unanimously.

**Welsh Road Stormwater Improvements:** Chairman Weaver asked for any outstanding bids. The bids were duly advertised in the Standard Speaker on August 27, 2021, and September 2, 2021. The bids are for the installation of Storm Water Improvements along Welsh Road (T-333). Please refer to the last page of the Minutes for Bid Tabulation Sheet for submitted bids. A motion was made by Supervisor DiSabella, seconded by Supervisor Yost, to award the bid for the Installation of Storm Water Improvements along Welsh Road, (T-333) to M&J Excavating, Inc. in the amount of $104,000.00. The motion passed unanimously.

**Bills**: Supervisor Yost read the Income and Expense Report of the General Fund from August 2021. A motion was made by Chairman Weaver, seconded by Supervisor DiSabella, to approve the bills as read, and to pay any and all bills in all funds that become due before the next regular meeting. The motion passed unanimously, and copies were placed on the front table for public review.

**Financial Statement**: Chairman Weaver mentioned that the financial statement is attached to all agendas. A motion was made by Chairman Weaver, seconded by Supervisor DiSabella, to dispense reading and approve the financial statement as presented. The motion passed unanimously. Supervisor Yost signed the Financial Statement.

**Police Department:** Chairman Weaver reviewed the police activity report for August 2021. There were 194 calls. Magistrate fines collected for August 2021 amounted to $2,219.63. Northern Trust, at the recommendation of the Board of Directors of the Marquis George MacDonald Foundation, Inc. gifted a grant in the amount of $1,000.00 to the Sugarloaf Township Police Department. A Thank You card was sent on behalf of the Board of Supervisors and the Police Chief to the trust on August 18, 2021. Apology letters and restitution have been received from the two minors who damaged the parking area at Larock Recreational Field.

**Fire Company**: Fire Chief Duane Hildebrand reported that there were 90 calls for the month of August 2021 consisting of 50 EMS calls and 40 Fire and Rescue calls. Northern Trust, at the recommendation of the Board of Directors of the Marquis George MacDonald Foundation, Inc. gifted a grant in the amount of $1,000.00 to the Sugarloaf Township Fire Company. A Thank You card was sent on behalf of the Board of Supervisors and the Fire Chief to the trust on August 18, 2021. The Sugarloaf Fire Company has sent a request for the Township to purchase an advertisement in its anniversary book which will be printed to commemorate their history. A motion was made by Chairman Weaver, Seconded by Supervisor DiSabella, to purchase a full-page ad in the amount of $125.00 to support this initiative. The motion passed unanimously.

**Road Department**: The Road Department Report for August 2021 was reviewed by Chairman Weaver. The Road Department Report was then placed on the front table for public review. A Pipe is in need of replacement at the Pilot Old Berwick Road Entrance to SR93. It was determined that the work will fall below the formal bid threshold and as such we have contacted three vendors for phone quotes. The Township received only one response from Robert C. Young in the amount of $21,200.00 to complete the work as specified. A motion was made by Supervisor Yost, seconded by Supervisor DiSabella, to award the contract for Pipe Replacement at the Pilot Old Berwick Road Entrance to SR93 to Robert C. Young in the amount of $21,200.00. The motion passed unanimously.

**Culvert Replacement Project St. Johns Road:** A display is set up in the front of the meeting room by PennDOT to introduce the project, display and describe the planned traffic maintenance, and receive input regarding the question or concerns with the project. There are forms to be used for submitted inquires to PennDOT by the agendas in the back of the meeting room. The link containing information on this project is <https://www.penndot.gov/RegionalOffices/district-4/PublicMeetings/Luzerne%20County/Pages/SR-3040-Sugarloaf-Culvert-Replacement-Project.aspx>.

A ribbon cutting was held on August 24, 2021, to re-open the East County Road Bridge. Chairman Weaver mentioned that according to what he has been able to ascertain, that Walp Road may be open by Thanksgiving.

**Zoning Report:** Zoning Officer Henry Mleczynski stated that eight (8) permits were issued in August 2021. There was none denied. Additionally, there were three (3) complaints handled, two (2) violations addressed, and two (2) storm water issues. The Zoning Officer introduced one new ordinance relating to Storage Containers and two Amendments to existing Ordinances for the consideration of the Board of Supervisors. It was noted by the Zoning Officer that the copies presented were not in final form and required a few minor changes. A motion was made by Chairman Weaver, seconded by Supervisor DiSabella, to approve the new ordinances to be sent to the Planning Commission for comments once the final copies are available. The motion passed unanimously.

Chairman Weaver placed the Zoning Log for July 2021 on the front table for public review.

**Emergency Management**: Thomas Mundie, Emergency Management Coordinator gave his report for August 2021.

**Sugarloaf Recreation Board (Larock Field):** The Recreation Committee meeting for September 1, 2021, at 7:00 p.m. was cancelled. The next meeting will be held on October 6, 2021.

**Tomhicken Playground Association:**  A meeting of the Tomhicken Playground Committee was held on August 18, 2021. The minutes were placed on the front table for review. A request was made to have the hall floors cleaned which has been done. Still outstanding are requested Children at Play Signs, a commercial garbage can, and a Carbon Monoxide Detector and Smoke Alarm installation. The committee is also requesting that the Basketball Court be sealed. Supervisor DiSabella mentioned that the season is ending and that the sealing could be considered next year. The next scheduled meeting will be held on Wednesday, September 15, 2021, at 7:00 p.m.

**Planning Commission**: The Planning Commission meeting was held on Tuesday, September 7, 2021, at 7:00 p.m. The minutes have not yet been received. The minutes from the meeting on August 2, 2021, were received and placed on the front table for review. The next scheduled meeting of Planning Committee will be held on October 4, 2021, at 7:00 p.m.

**Subdivision, Lot Consolidation and Land Development**:

**Charles J. Mason Subdivision:** **Charles J. Mason Subdivision:** Revised plans were received on August 20, 2021, from JTB Engineering requesting conditional approval based on obtaining the Planning Module so long as it has not been greater than 30 days since submission, if it is greater than 30 days, he is requesting Final Approval from the Planning Commission. Correspondence received from RJD Engineering recommending approval pending the Sewage Facilities Planning Module being approved by the DEP. A motion was made by Richard Yost, seconded by Chairman Weaver to grant Conditional Final Approval pending receipt of Sewer Module. The motion passed unanimously. A motion was made by Chairman Weaver, Seconded by Supervisor Yost, to approve the wetlands delineation waiver for this project. The motion passed unanimously.

**Richard R. And Kathy A. Taylor – Final Plan - Minor Subdivision:** Executed, notarized final plans have been signed by the Planning Commission. Plans are now forwarded to the Board of Supervisors for final consideration for approval. A motion was made by Chairman Weaver, seconded by Supervisor Yost to approve Final Plans as submitted to be signed. The motion passed unanimously, and plans were signed by the Supervisors at the end of the meeting.

**Shuman Subdivision Final Plan, Minor/Reverse Subdivision:** Correspondence was received from Luzerne County Planning Commission with comments. Correspondence was received from Luzerne Country Engineering with comments. Received revised plans from Dennis B. Evans, Engineer, however they were incomplete, and were not submitted in proper format and were refused. Received first Zoning Review on August 20, 2021, from Township Zoning Officer with comments. Received second review from JTB Engineering with comments on August 27, 2021. Received second Zoning Review from Township Zoning Officer on September 2, 2021, with comments. Township Engineer Joe Brutosky stated that the client complied with the SALDO and was granted conditional approval from the Planning Commission based on Zoning Hearing Board approval, and that the matter was referred to the Zoning Hearing Board. He asked for Final Approval conditional upon Zoning Hearing Board approval. A motion was made by Supervisor DiSabella, seconded by Supervisor Yost, to grant Final Conditional approval conditional upon Zoning Hearing Board Approval. The motion passed unanimously. A motion was made by Richard Yost and seconded by Supervisor DiSabella to also grant waivers that were approved at the Planning Commission. The motion passed unanimously.

**Pecora Subdivision:** Received plans on August 24, 2021, from JTB Engineering. Plans were reviewed by RJD Engineering on August 24, 2021 and deemed administratively complete. Received review with comments on August 30, 2021, from Brior Environmental Service with comments.

**Preliminary Final Minor Subdivision Lands of Schavo and Simons:** Received plans on September 1, 2021, from Schumacher Engineering. Plans reviewed by JTB Engineering and deemed administratively complete on September 1, 2021.

**Old Business:**

**UGI Public Utility ROW Agreement – New Police Station Gas Line:** The Township Solicitor has had discussions with UGI regarding compensation for the easement UGI is requesting. The Solicitor has provided several names for consideration to appraise the property and place and figure on the value of the easement. A discussion was held to determine if the Township wishes to proceed obtaining quotes for the appraisal or would like to set a value for the Township for easement. The decision was taken that Atty. Ferdinand will proceed with finding an appraiser to assist in determining value of this property.

**Old Berwick Road Fuel Spill:** Response Environmental completed remediation work on behalf of Metropolitan Trucking, the company owning the vehicle that was involved in the accident and subsequent fuel spill near the RT93/Old Berwick Road intersection. During remediation the Environmental Company damaged our new drainage pipe, despite markings and detailed discussion regarding location and depth of the pipe. The company repaired the pipe following BIA direction ensuring that the pipe was repaired according to manufacturer guidelines. Additionally, BIA has submitted their recommendation regarding possible damage to the pavement structure as a result of the spill. BIA is recommending that the Township request a twenty-four month maintenance bond in the amount of 110% of the cost of the impacted area to insure that if any failure occurs in the area of the spill, that pavement structure will be removed, remediated and replaced by a contractor approved by Sugarloaf Township and paid by the maintenance bond from Metropolitan Trucking or it’s insurance company with all work to be performed in accordance with construction drawings approved for the reconstruction of Old Berwick Road dated 8/24/2020

N**ew Business:**  The next scheduled meeting of the Supervisors will be held on Tuesday, October 12, 2021, at 7:00 PM.

**2022 Financial Requirement and Minimum Municipal Obligation:** The actuarial firm of Thomas Anderson & Associates has prepared the 2022 Annual Report for both pension plans. The MMO for the Non-Uniform pension plan is $35,820.00 and the MMO for the Uniform pension plan is $53,022.00 based on the projected figures. A motion was made by Supervisor Yost, seconded by Supervisor DiSabella, to approve the MMO budgets for both plans for the year 2022. The motion passed unanimously.

**Transfer Tax Refund:** A request was received from Elite Revenue to refund taxes in the amount of $897.23 for the Township’s portion of transfer taxes that were paid for a parcel sale which was reversed and canceled. A motion to refund taxes in the amount of $897.23 to Deysis Encarnacion was made by Chairman Weaver, seconded by Supervisor Yost, to approve the tax refund in the amount of $897.23. The motion passed unanimously.

**PA DEP Municipal Notification of Planned Land Development for Chapter 102 Permits:** A Municipal Plan Ordinance Information checklist has been submitted to be completed by the Township and requires Municipal Acknowledgement. The correspondence has been submitted to the Township Engineer for review and approval.

**Correspondence received since the last meeting:**  Correspondence received since the last meeting was

reviewed.

**Public Comment:** Mrs. Carolyn Luchi addressed the Board of Supervisors regarding concerns that she has regarding activity and plans for property which is adjacent to her lot. She has also reviewed those concerns with the zoning officer.

**Adjournment**: With no further business to attend to, a motion was made by Chairman Weaver, seconded by Supervisor Yost, to adjourn the meeting at 8:00 P.M. The motion passed unanimously.

It was noted that all reports or correspondence mentioned during this meeting were available for review at the front table, copies to be provided, upon request, after the meeting.

Richard E. Yost

Secretary

REY/et