

Supervisors Meeting – February 21, 2023

The Regular Meeting of the Sugarloaf Township Supervisors was held on Tuesday, February 21, 2023, at 6:55 P.M. immediately following the scheduled Public Hearing.

Attendance: In attendance were Chairman Joseph DiSabella, Supervisor Richard Yost, and Supervisor Rick Weaver. Also in attendance were Atty. Christopher Slusser, Township Engineer Dennis Peters, and Township Manager Elizabeth Tolan.

Pledge of Allegiance

Public Comment: There was no public comment on the agenda items.

Minutes: Chairman DiSabella asked if there were any additions or corrections to the Minutes of the Reorganization and Regular meetings on January 3, 2023. A motion was made by Supervisor Weaver, seconded by Supervisor Yost to approve the minutes of the Reorganization and Regular Meeting as presented. The motion passed unanimously.

Minutes: Chairman DiSabella asked if there were any additions or corrections to the Minutes of the Special meeting on January 13, 2023. A motion was made by Supervisor Yost, seconded by Supervisor Weaver, to approve the minutes of the Special Meeting as presented. The motion passed unanimously.

Bills: Supervisor Yost reviewed the Expenses Report of the General Fund for January 2023. A motion was made by Supervisor Weaver, seconded by Chairman 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.

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

Bills: Supervisor Yost read the Income and Expense Report of the General Fund from January 2023. A motion was made by Supervisor Weaver, seconded by Chairman 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.

Police Department:

1. Chairman DiSabella reviewed the police activity report for January 2023.
2. Magistrate fines collected for December 2022 amounted to \$1,035.08. Magistrate fines collected for January 2023 amounted to \$690.98. Three checks were received for restitution from probation services totaling \$283.92.
3. LSA Grant Reimbursement for the Police Station Project was received in the amount of \$39,346.00.
4. Eddie Eagle Grant: We were awarded a grant valued at \$5,000.00 which includes cost of the "Eddie Eagle" Costume through the NRA Foundation Grant Program to promote Gun Safety in the HASD K-8 classes. Sgt. Ackerman is the officer who initiated this grant request and is in charge of this project and will proceed to purchase the costume and materials and to execute the program within the NRA established guidelines outlined in the grant.
5. Patrolman First Class Robert Zientek has resigned. He will be joining the Butler Township Police Department. We wish him well and thank him for his service to the Township.

Fire Company:

1. Fire Chief Duane Hildebrand submitted the activity report for January 2023. There were 25 Fire/Rescue and 75 EMS for a total of 100 calls.
2. Supervisor Weaver mentioned that there seems to be excessive music coming from the fire hall in the evening. He asked if something could be done about the situation. The Township Manager will reach out to Patrick Genetti to see if he can address the situation.

Road Department:

1. The road department report for January 2023 was reviewed by Supervisor Weaver.

Zoning Report:

1. Chairman DiSabella read the Zoning Report for January 2023.
2. Chairman DiSabella placed the Zoning Log for January 2023 on the front table.
3. **Ordinance No. 1 of 2023 regarding a petition for Curative Amendment submitted by Sugarloaf Logistics LLC:** A public hearing was held at 6:00 PM on February 21st, 2023 to hear public comment on Ordinance No. 1 of 2023 having to do with maximum building height in the I-1 zoning district. A motion was needed to (approve, table, deny) this ordinance. A motion was made by Supervisor Yost, seconded by Supervisor Weaver, to approve ordinance No. 1 of 2023. The motion passed unanimously.
4. **Stormwater Permit:** A Stormwater Permit for Diana Deleon New Home w/Attached Garage and Driveway was reviewed with comments.
5. **Code Adoption Ordinance Introduction:** A motion was needed to advertise proposed Ordinance No. 2 of 2023 Code Adoption Ordinance for consideration at the March 2023 Board of Supervisors meeting. This is the final step of a Codification project that the township started in 2020. A motion was made by Supervisor Yost seconded by Chairman DiSabella to approve the advertising ordinance No.2 of 2023. The motion passed unanimously.

Emergency Management: Mr Mundie was not in attendance. Chairman DiSabella mentioned that plans are being made to move the EMS center to the municipal building.

Sugarloaf Recreation Board: The recreation committee did not meet in January. The committee will reconvene in March of 2023.

Resolution No. 10 of 2023: Resolution No.10 of 2023 in support of the "Young Lungs at Play" program of the American Lung Association regarding Tobacco and Vape-Free Parks was presented to the Board of Supervisors for consideration. This resolution will expressly prohibit the use of all tobacco products on all Township Park Properties, which will be designated "Tobacco Free Zones". 12"x18" metal signs will be provided by the program at no cost for installation at our community parks. Sugarloaf Township Luzerne County will also be placed on the Pennsylvania Young Lungs at Play Honor Roll, recognizing our efforts in becoming a tobacco free community. Press Releases are also available for communication to residents. The recreation committee is in support of this program. A motion was needed to (approve, table, deny) this resolution. A motion was made by Supervisor Weaver, seconded by Supervisor Yost to approve resolution No. 10 of 2023. The motion passed unanimously.

Tomhicken Recreation Board: The Tomhicken Recreation Board will reconvene in April of 2023.

Planning Commission:

The January Planning Commission Re-Organization and Regular Meeting was held January 3, 2023. The February Meeting of the Planning Commission was held on February 6, 2023. The minutes for both meetings have been received. The next scheduled Meeting of the Planning Commission will be March 6, 2023 at 7:00 PM.

A letter of resignation was received from Nicholas Larock, resigning his position as a Township Auditor so that he may serve as appointed on the Planning Commission. A motion was made by Supervisor Yost, seconded by Chairman DiSabella to accept the resignation of Mr. Larock as Township Auditor. The motion passed unanimously.

Subdivision/Lot Consolidation/Land Development:

1. Sugarloaf Logistics LLC:

Notice was received from PennDOT E Permitting stating that they have completed their review for the HOP and are returning it to the applicant for revision.

2. Trella/Bellagio Fields LLC:

A review letter with comments was received from the Sugarloaf Zoning Officer. A review letter was received from Brior Environmental Services with comments. Correspondence was received from the Township Secondary Engineer Twin Oaks Consulting LLC deeming the plans administratively complete. The Planning Commission has accepted the plans as administratively complete at their meeting on February 6, 2023. A vote was needed by the Board of Supervisors to accept the recommendation of the planning committee to accept the plans as administratively complete. A motion was made by Supervisor Yost, seconded by Supervisor Weaver, to approve the plans as administratively complete. The motion passed unanimously.

A review letter was received from the Township Secondary Engineer with comments. The Trella Accessory Building Use Project Alternative Analysis was received from Peters Consultants Inc, the clients Engineer of record. A copy of the Sewage Facilities Planning Module was received from Peters Consultants Inc. A Pennsylvania Department of Conservation and Natural Resources Project Information Report was received from Peters Consultants.

The Planning Committee granted Conditional Approval of the Accessory Building Use based on the Plans meeting conditions of approval from the Township Secondary Engineer, the Zoning Officer, and Brior Environmental Services. A vote was needed by the Board of Supervisors to accept the recommendation of the planning committee to grant Conditional Approval of the Accessory Building Use based on the Plans meeting conditions of approval from the Township Secondary Engineer, the Zoning Officer, and Brior Environmental Services. A motion was made by Supervisor Weaver, seconded by Supervisor Yost, to approve the Conditional Approval of the Accessory Building Use. The motion passed unanimously. There was brief discussion between the board and Dennis Peters, who is the engineer of record for Mr. Trella, regarding what conditions remain to be addressed.

3. Crossroads XOXO LLC:

A 90-day extension request was received from Pennoni and Associates. The extension was granted by the Planning Committee and will expire on May 6, 2023. Notice was received from PennDOT e-permitting stating that they received an application for a HOP, and it is under review. A letter was received from Luzerne County Planning Commission in regard to Crossroads XOXO Building No.1 Land Development in Sugarloaf Township with comments. A letter was received from Luzerne County Planning Commission with comments. A first review letter was received from the Sugarloaf Township Zoning Officer with comments. Notification was received from PennDOT e-permitting stating that they have completed their review and have returned the application to JVI LLC for revision.

4. Sai Sugarloaf Realty (SR93 Convenience Store and Gas Station):

A letter was received from the Township Engineer outlining the current status of this project with comments. The Subdivision Plans for this project were approved by the Planning Commission on January 3, 2023 and were submitted to the Board of Supervisors for consideration of approval. A motion was made by Supervisor Yost, seconded by Supervisor Weaver, to approve the Subdivision Plans. The motion passed unanimously, and the plans were signed after the meeting.

Sai Sugarloaf Realty (SR93 Convenience Store and Gas Station) Cont.:

The preliminary plans for the Land Development were submitted and reviewed by the Township Engineer who has notified the applicant that all comments from his review must be addressed prior to the submission to the Planning Commission for consideration of approval. Notice was received from PennDOT e-permitting that the application was received for the HOP, and it is under review.

Public Hearing Intermunicipal Liquor License Transfer Sai (Sugarloaf SR93 Convenience Store and Gas Station):

A motion was needed to proceed with advertising a public hearing to be held on March 21, 2023 at 6:00 PM to take public testimony/comment on the request for an inter-municipal transfer of liquor license No. R17804 from Hanover Beverage LLC to Sai Sugarloaf LLC after which the Board of Supervisors will consider the Resolution approving the transfer at their regular meeting. A motion was made by Supervisor Weaver, seconded by Supervisor Yost to approve advertisement. The motion passed unanimously.

Crossroads XOX LLC: Preliminary Land Development Plans for Building #4 received conditional approval from the Planning Commission and are now presented to the Board of Supervisors for approval. A motion was made by Supervisor Weaver, seconded by Supervisor Yost to approve the Preliminary Land Development Plans for Building No. 4 with conditions. The motion passed unanimously.

Old Business:

1. Notice of Civil Action: Land Use Appeal No. 2022-06832 was received in regard to Robert Bolus, Jr. VS Board of Supervisors of Sugarloaf Township.
2. Mountain Drive (C-38): Attorney Baranko once again requested the Deed of Dedication from the County and the Map/Plot Plan for this parcel which was taken over by the Township. These documents are needed to secure our liquid fuels funding for this portion of road.
3. PennDOT Signal Maintenance Agreement: Attorney Baranko reviewed the maintenance agreement and provided comments for the Board of Supervisors consideration. This agreement was pending the Board of Supervisors decision on how they would like to proceed. A motion was made by Supervisor Weaver, seconded by Supervisor Yost to approve the maintenance agreement. The motion passed unanimously.

New Business:

1. The next scheduled meeting of the Supervisors will be held on Tuesday March 21st at 6:30 PM.
2. Local Real Estate Transfer Taxes were received in the amount of \$5,484.43 for January 2023 Property Transfers.
3. Payment was received in the amount of \$16,378.25 for Service Electric Cablevision's Franchise Fee for the period of July 1, 2022 to December 31, 2022.
4. We received a request to approve the appointment of Maurina DiSabella as Deputy Tax Collector to Deborah DiSabella for the collection, deposit, and disbursement of taxes for Sugarloaf Township Luzerne County. A motion was made by Supervisor Yost, seconded by Supervisor Weaver to approve the appointment of Maurina DiSabella as Deputy Tax Collector. The motion passed unanimously.

5. A request from the Sugarloaf Tax Collector to refund the following amounts due to assessment changes for the following properties:

Lamont Development Co. in the amount of \$438.46

Jamie and Ashley Duksta in the amount of \$17.07

A motion was made by Supervisor Yost, seconded by Chairman DiSabella to approve the above-mentioned refunds. The motion passed unanimously.

6. **Advertise for Fuel Bids:** A motion was made by Supervisor Weaver, seconded by Supervisor Yost to advertise for bids to be opened at the March 21st, 2023 meeting for the following:

- a. 5,000 gallons, more or less, of over-the-road, low sulfur dyed diesel fuel delivered to the Township tank.

- b. 5,000 gallons, more or less, of unleaded gasoline (87) octane delivered to the Township tank.

As previously accepted, Bids will be accepted for either or both items.

The motion passed unanimously.

7. Chairman DiSabella mentioned that Township Manager Elizabeth Tolan was appointed to the PSATS State Secretary Manager Standing Committee and was also presenting a training session at the 2023 Annual State PSATS Conference in Hershey Pa. Ms. Tolan thanked the board for the opportunity to attend.

Correspondence:

- Communication was received from the Luzerne County Conservation District regarding NPDES Permit Application No. PAD400046A-1 HCA Water Main Replacement Project.

Public Comment (Residents and Taxpayers only) 5-minute limit:

Mrs. Helen Roth commented on the issue of police department personnel leaving Sugarloaf for other municipalities which offer higher pay rates and suggested that our township take action to adjust rates to retain officers. Chairman DiSabella commented that the board is in discussion with the Police Chief to discuss possibilities for officer retention/regionalization options.

Mr. Andy Anderson also commented on the need to adjust payrates for retention purposes.

Mr. Gary Marsh noted that there were two officers at Pilot which he was glad to see, also commented that several of the directional signs on OBR are damaged/missing. Supervisor Weaver will check into those issues. Mr. Marsh also noted that the patchwork done on his road has lifted. That he will remove the debris from his property, but that he would like to see the road repaired properly when working on the roads this season.

Adjournment: A motion to adjourn was made by Supervisor Yost, seconded by Chairman DiSabella at 7:45 P.M.

