

Supervisors Meeting – March 21, 2023

The Regular Meeting of the Sugarloaf Township Supervisors was held on Tuesday, March 21, 2023, at 6:30 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 Township Manager Elizabeth Tolan, Engineer Tyler Kotch for Peters Consultants, and Atty. Joseph Baranko.

Pledge of Allegiance

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

Fuel Bids: Chairman DiSabella asked if there were any outstanding Fuel Bids. The request for bids was duly advertised in the Standard Speaker on February 27th and March 6, 2023. The bids were for 1) 5,000 gallons, more or less of over-the-road, low sulfur dyed diesel fuel, and 2) 5,000 gallons more or less of unleaded gasoline (87) octane, with both items to be delivered to the Township tanks. The Bid Sheets were attached to the agenda. Vendors were given the option to bid on one or both items. A motion was made by Supervisor Weaver, seconded by Supervisor Yost, to award the bid for diesel fuel to Button Oil in the amount of \$.40 over Rack, and to award the bid for unleaded gasoline to Button Oil in the amount of \$.48 over rack. The motion passed unanimously. The only other bid received was from M&J Excavation for Diesel Fuel only in the amount of .50 over rack pricing.

Minutes: Chairman DiSabella asked if there were any additions or corrections to the Minutes of the Regular meeting on February 21, 2023. A motion was made by Supervisor Weaver, seconded by Supervisor Yost, to approve the minutes of the Regular Meeting as presented. The motion passed unanimously.
(Copies were placed on the front table for public review)

Minutes: Chairman DiSabella asked if there were any additions or corrections to the Minutes of the Public Hearing on February 21, 2023. A motion was made by Supervisor Yost, seconded by Supervisor Weaver, to approve the minutes of the Public Hearing as presented. The motion passed unanimously.
(Copies were placed on the front table for public review)

Bills: Supervisor Yost read the Expenses Report of the General Fund for February 2023. A motion was made by Chairman DiSabella, seconded by Supervisor Weaver, 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 Supervisor Weaver, seconded by Chairman DiSabella, to dispense reading and approve the financial report. The motion passed unanimously and Supervisor Yost signed the Financial Statement.

Police Department:

1. Chairman DiSabella reviewed the police activity report for February 2023.
2. Magistrate fines collected for February 2023 amounted to \$2254.78. Two checks were received for restitution from probation services totaling \$177.30.
3. There was an executive session held on February 28, 2023 for personnel matters. Chairman DiSabella mentioned that the police were given a pay increase and a bonus to help with retention.
4. A safety recall reminder notice was received for the 2017 Police Interceptor UTL

Fire Company:

1. Due to illness the Fire Chief was not in attendance. February call information will be presented when it is available. Chairman DiSabella mentioned that Duane Hildebrand was in the hospital and will be off for approximately 6 weeks.

Road Department:

1. The road department report for February 2023 was reviewed by Supervisor Weaver.
2. State Funds received for 2023 Liquid Fuel and Turnback Allocations were as follows:
 - a. Liquid Fuels: \$180,933.91
 - b. Turnback: \$ 40,280.00
3. **2023 Dirt, Gravel, and Low Volume Paved Roads Maintenance Program Grant:** This grant is once again open for submissions. The grant is open until April 28, 2023. If the Board of Supervisors would like to apply for funding for a project for 2023, a motion was needed to proceed. A motion was made by Supervisor Weaver, seconded by Supervisor Yost, to apply for funding for a project to be determined. The motion passed unanimously.
4. Cost estimates were received from PennDOT Municipal Services Supervisor Chris Goetz for Old Berwick Road, Red Rock Road, and Welsh Road.

Zoning Report:

1. Chairman DiSabella read the Zoning Report for February, 2023. There were 9 permits issued and none denied.
2. Chairman DiSabella placed the Zoning Log for February, 2023 on the front table.
3. **Code Adoption Ordinance Introduction:** The proposed Ordinance No. 2 of 2023 Code Adoption Ordinance will be advertised for consideration at the April 2023 Board of Supervisors meeting. This is the final step of a Codification project that the township started in 2020.

Emergency Management: We have received notification of estimated costs from Sugarloaf Fire and Rescue for the 2023 utilities for the Emergency Management Agency at 18 South Main Street. Estimated costs will total \$1500.00. The estimate has been sent to Mr. Mundie.

1. A motion was needed to appoint a secondary EMA representative for Sugarloaf Township to provide coverage for Mr. Mundie when he is unavailable. A motion was made by Chairman DiSabella, seconded by Supervisor Yost, to appoint Wendy Hildebrand as second EMA official in charge for Sugarloaf Township. The motion passed unanimously.

Sugarloaf Recreation Board:

1. The recreation committee met on March 8, 2023 to discuss priorities for the upcoming season. We unfortunately were not awarded our Statewide Grant Request for the rehabilitation of Larock Field. The Township Manager has a request for a meeting with Representative Cabell to again ask for his support for this important project through the County LSA Grant submitted last year which should be awarded this spring. Residents are urged to contact their legislators and let them know how important this recreation facility which services three communities is to their families.
2. A motion was requested by the recreation committee to hire Kris Kelchner to clean the park and bathrooms again this year. A motion was made by Supervisor Yost, seconded by Supervisor Weaver, to hire Kris Kelchner to clean the Larock Park facility for the 2023 season at the rate established in 2022 of \$800.00 a month paid bi-weekly. The motion passed unanimously.

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

Planning Commission:

The March Meeting of the Planning Commission was held on March 6, 2023. The minutes have been received. The next scheduled Meeting of the Planning Commission will be April 3, 2023 at 7:00 PM.

Subdivision/Lot Consolidation/Land Development:

1. Sugarloaf Logistics LLC:

Received a notice from e-Permitting from PennDOT stating that the application for their HOP has been received and is under review.

2. **Trella/Bellagio Fields LLC:**

A land development component two Sewage Planning Module was received from Brior Environmental and approved by planning. The module was presented to the Board of Supervisors for consideration. A motion was made by Chairman DiSabella, seconded by Supervisor Weaver, to approve the Sewage Planning Module. The motion passed unanimously.

We received the municipal notification of planned land development for Chapter 102 permits from PA DEP. The form has been sent to the Secondary Township Engineer for review and completion and then will be sent to the Planning Commission for approval.

We Received the Transportation Impact Study determination and Scoping Meeting Application from PennDOT. Received a Release of Liability and Hold Harmless Agreement from Atty. Baranko in regard to the Land Development Project. The agreement was presented to the Board of Supervisors for consideration. A motion was made by Supervisor Yost, seconded by Supervisor Weaver to approve the Release of Liability and Hold Harmless Agreement. The motion passed unanimously.

Review was received from the Luzerne County Planning and Zoning Department with comments.

3. **Crossroads XOXO LLC:**

Received a notice from e-Permitting at PennDOT that their review was complete for their HOP and returned to the applicant for revision and resubmission.

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

Land Development plans were received from Livic Civil and reviewed by the Township Engineer. A review letter with comments was received from the Township Engineer. Russ Treas from Livic Civil declined the option for a 60-day extension at the March Planning Commission meeting, however, he is now requesting the 60-day extension which would expire on May 26, 2023 from the Board of Supervisors. A motion was needed on the request. A motion was made by Chairman DiSabella, seconded by Supervisor Yost to approve the 60-day extension. The motion passed unanimously.

A notice was received from PennDOT e-Permitting stating that they received the application for the HOP, and it is under review. The application was returned to the applicant with comments.

A draft of the proposed stormwater maintenance agreement was received from the Township Engineer. Also received was the Stormwater HOP application. A letter was received from Atty. Baranko with the final draft of the Stormwater Maintenance Agreement which was forwarded to the Board of Supervisors for approval. A motion was made by Supervisor Yost, seconded by Supervisor Weaver, to approve the agreement. The motion passed unanimously. After the meeting it was determined that there was missing information from the memorandum of understanding agreement. Once all information is in place, the stormwater HOP will be sent to the applicant.

The Planning Commission gave Conditional Approval of Land Development plans based on the applicant meeting conditions in the review letter to include HOP, Stormwater Plan and MOU. The applicant was now requesting Conditional Approval based on meeting all conditions from the Board of Supervisors. A motion was made by Supervisor Weaver, seconded by Chairman DiSabella to approve the conditional approval. The motion passed unanimously.

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

A public hearing was held at 6:00 PM March 21, 2023 prior to the BOS Meeting for public comment on the Inter-Municipality Liquor License Transfer for Sai (Sugarloaf 93 Convenience Store.) A motion was needed to (approve, table, deny) the inter-municipal transfer of liquor license No. R17804 from Hanover Beverage LLC to Sai Sugarloaf LLC. A motion was made by Supervisor Yost, seconded by Supervisor Weaver to approve the transfer of this license. The motion passed unanimously.

6. **Crossroads XOX LLC:** A request was received from their engineer for a 90-day extension which was approved by the Planning Commission. The extension would expire on June 10, 2023. A motion was needed for Board of Supervisor approval for the extension. A motion was made by Supervisor Yost, seconded by Supervisor Weaver to approve the 90-day extension. The motion passed unanimously.

Old Business:

1. Received a letter from Atty. Baranko regarding Land Use Appeal No. 2022-06832 was received in regard to Robert Bolus, Jr. VS Board of Supervisors of Sugarloaf Township. The oral argument was held February 22, 2023 at the Luzerne County Court House. Mediation is scheduled for April 3, 2023.

New Business:

1. The next scheduled meeting of the Supervisors will be held on Tuesday April 18th at 6:30 PM.
2. Stormwater Applications Received and Approved in February:
 - a. Parminder Baidwan 9 Jennifer Lane
 - b. Jeff Zanolini Main Street
 - c. Thomas Trella 714 and 712 St. Rt. 93
 - d. James Heckman 106 Pecora Road
 - e. Diana DeLeon 46 Forrest Hill Road
3. Sugarloaf Township was awarded a wellness grant of \$1,000.00 from Benecon. We are obtaining a quote from J&S Landscaping and Michaels Lawncare for the landscaping of the reflection garden submitted as part of the grant for between the police station and the municipal building. J&S has offered to donate a flowering tree to the project. The township will seek donations for a bench for the area as well. Anyone interested please see the Township Manager. A name plate will be made for the bench to recognize the donation. Additionally, as part of the grant, a wellness incentive program will be developed for township employees.
4. Local Reality Transfer Tax Distribution in the amount of \$3513.30 was received for the period of 1/1/23-1/31/23.
5. A Bid for a Repository Sale of a property located in Sugarloaf has been submitted for consideration. If there is no objection, no further action is needed.
 - a. A bid of \$500.00 was assessed to Edward N Nehay and Ronald MCarthy on James Drive from Andrew Herzler.
6. Keep America Beautiful and the Great American Cleanup is happening on Saturday April 22, 2023. We would like to clean the Sugarloaf Portion of Main Street. The Greater Hazleton Chamber of Commerce will supply bags, vests, gloves, etc. We must submit our form by April 11 to be included in the program. Volunteers are requested to contact Township Manager Liz Tolan to sign up. Coffee and Donuts will be provided.

Correspondence:

- A letter was received from the Hazleton Water Authority stating that they are applying for a major modification to their PA DEP issued Public Water Supply Permit. The modification includes the addition of two new spring water wells at the site located in Black Creek and Sugarloaf Townships
- A letter with comments was received from PA Department of Transportation regarding Erosion and Sediment Control Plan approval for SR3040 section D51 Culvert replacement in Sugarloaf Township.
- Correspondence was received from Atty. Baranko regarding Piedmont Land Holdings Solar Facility.
- Suggested resolutions for adoption were received from the Luzerne County Farm Bureau Board of Directors in regard to Farm and Land Forest runoff legislation which will be presented at the PSATS Annual Conference in April. The board would like the voting representative from the township to vote in favor of these resolutions.
- Correspondence was received from the DEP regarding Choice Cigarette 94318 incident #56806.
- Correspondence was received from PennDOT regarding a Traffic Counting on municipal roads project beginning in March continuing through November of 2023.

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

- Carolyn Luchi thanked the Board of Supervisors for providing a salary and incentive bonus to help retain our police force. She also inquired about the Bolus case and asked Atty. Barnako for an update.
- Helen Roth thanked the Board of Supervisors for providing a salary and incentive bonus to help retain our police force but mentioned that we lost several officers due to the situation prior to the increase taking place.

Adjournment: A motion to adjourn by Supervisor Yost, seconded by Supervisor Weaver at 7:30 P.M.
It was noted that all reports or correspondence mentioned during the meeting could be reviewed on the front table.

A handwritten signature in black ink, appearing to read "Richard E. Yost". The signature is written in a cursive, flowing style.



FINANCIAL STATEMENT

February 28, 2023

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|---|----|-------------------|
| <u>GENERAL FUND</u> | \$ | <u>209,292.15</u> |
| <u>STATE FUND</u> | \$ | <u>756.09</u> |
| <u>MACHINERY FUND</u> | \$ | <u>82,064.85</u> |
| <u>FIRE FUND</u> | \$ | <u>4990.13</u> |
| <u>PAYROLL FUND</u> | \$ | <u>6132.01</u> |
| <u>OAKHILL VILLAGE STREET LIGHT FUND</u> | \$ | <u>6750.20</u> |
| <u>DIPPLE MANOR STREET LIGHT FUND</u> | \$ | <u>1847.39</u> |
| <u>SUGARLOAF SEWER FUND</u> | \$ | <u>615451.92</u> |
| <u>PETTY CASH FUND Office</u> | \$ | <u>27.25</u> |
| <u>PETTY CASH FUND Police</u> | \$ | <u>89.09</u> |
| <u>LSA GRANT ACCOUNT – PHASE 1 OLD BERWICK ROAD</u> | \$ | <u>0- Closed</u> |
| <u>LSA GRANT ACCOUNT – PHASE 111 OLD BERWICK ROAD</u> | \$ | <u>0- Closed</u> |
| <u>MTF GRANT ACCOUNT – PHASE 111 OLD BERWICK ROAD</u> | \$ | <u>8619.22</u> |
| <u>SUGARLOAF RECREATION BOARD</u> | \$ | <u>9985.34</u> |
| <u>TOMHICKEN PLAYGROUND ASSOC</u> | \$ | <u>2696.16</u> |
| <u>ARP FUNDS</u> | \$ | <u>27,262.49</u> |

Richard E. York
March 21, 2023

