

RESOLUTION NO. 8 OF 2023
DALTON BOROUGH COUNCIL

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF DALTON, LACKAWANNA COUNTY, COMMONWEALTH OF PENNSYLVANIA, RE-ORGANIZING THE DALTON ZONING HEARING BOARD, APPOINTING RESIDENTS OF THE BOROUGH OF DALTON TO FILL THE EXPIRED TERMS OF PREVIOUS BOARD MEMBERS, APPOINTING LEGAL COUNSEL TO REPRESENT DALTON ZONING HEARING BOARD AND CONFIRMING THE POWERS AND JURISDICTION OF THE DALTON ZONING HEARING BOARD AS SET FORTH IN THE BOROUGH OF DALTON ZONING ORDINANCE AND THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.

WHEREAS, the previous terms of prior members of the Dalton Borough Zoning Hearing Board have expired; and,

WHEREAS, Council of the Borough of Dalton has determined to appoint Dalton Borough residents to populate a re-organized Dalton Zoning Hearing Board; and,

WHEREAS, Dalton Borough Council also has determined to appoint Legal Counsel to represent the newly re-organized Dalton Borough Zoning Hearing Board; and,

WHEREAS, Dalton Borough Council pursuant to this Resolution appoints the following Dalton Borough residents to the re-organized Dalton Borough Zoning Hearing Board:

- A. William S. Cresswell, 1004 Woodwind Hill Drive, Dalton PA 18414, appointed to a 4-year term beginning on the date of adoption of this Resolution and continuing until February 15, 2027; and,
- B. Thomas A. Boccafogli, 224 Third Street, Dalton, PA 18414, appointed to a 3-year term commencing on the date of the adoption of his Resolution and continuing until February 15, 2026; and,

- C. Mary Jane Peters, 204 N. Turnpike Road, Dalton, PA 18414, appointed to a 2-year term commencing upon the adoption of this Resolution and continuing until February 15, 2025; and,

WHEREAS, Dalton Borough Council has determined to appoint Attorney John D. Lalley as Solicitor for the Dalton Borough Zoning Hearing Board effective upon the adoption of this Resolution and continuing for a 1-year term. Attorney Lalley to be compensated at the rate of \$200.00 per hour for services for and on behalf of the Dalton Borough Zoning Hearing Board. Attorney Lalley to submit invoices to the office of Dalton Borough Secretary/Treasurer.

NOW THEREFORE, be it *Resolved* by the Council of the Borough of Dalton pursuant to Article IX of the Pennsylvania Municipalities Planning Code and consistent with the Dalton Borough Zoning Ordinance that the Zoning Hearing Board of the Borough of Dalton is hereby re-organized, the aforementioned residents of the Borough of Dalton are appointed as members of the Dalton Zoning Hearing Board, and the aforementioned Attorney is appointed as Counsel for the Dalton Borough Zoning Hearing Board.

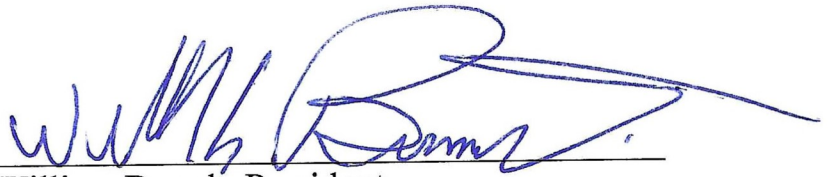
SECTION 1. The re-organized Dalton Borough Zoning Hearing Board shall have power and authority in accordance with Article IX of the Pennsylvania Municipalities Planning Code and the provisions of the Dalton Borough Zoning Ordinance. The re-organized Dalton Borough Zoning Hearing Board shall elect officers and adopt rules and regulations regarding procedures in accordance with Section 400-81 (A)(paragraph 5).

SECTION 2. This Resolution is effective immediately upon passage.

SECTION 3. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion. The Borough reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

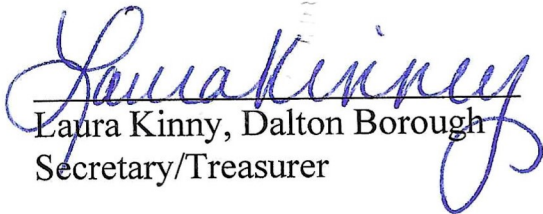
SECTION 4. This Resolution is enacted by the Council of the Borough of Dalton under the authority of the Act of Legislature, February 1, 1966, P.L. (1965) as re-enacted and amended May 17, 2012, P.L. 262, No. 43, known as the Borough Code and any and all other applicable laws arising under the laws of the Commonwealth of Pennsylvania,

Approved the 9th day of February, 2023.

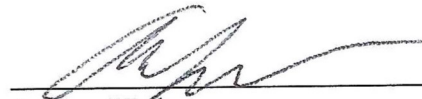


William Brandt, President
Dalton Borough Council

ATTEST:



Laura Kinney, Dalton Borough
Secretary/Treasurer



Aaron Holzman
Dalton Borough Mayor

Passed by Dalton Borough Council the 9th day of February, 2023,
receiving the affirmative votes of 5

Negative votes of 0