

POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE SEWER MEETING
MAY 2nd, 2012 6:00 P.M.

A Special Sewage meeting of Pocono Township Supervisors was held on May 2nd, 2012 in the Pocono Twp. Municipal Building, Tannersville, Pa. Frank Hess, Chairman opened the meeting.

ROLL CALL: F. Hess, present, and H. Bengel, present. H. Werkheiser, absent.

Tim McManus, Twp. Sewer Solicitor; Sam D'Alessandro, RKR Hess Associates, Inc.; and Frank Froio, Township Administrator were present.

APPROVAL OF MINUTES: F. Hess made a motion, seconded by H. Bengel, to approve the 04/04/2012 Sewer Meeting minutes. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

PHASE II SEWER LINE CONSTRUCTION

- Contract No. 4 - In accordance with RKR Hess's memo dated May 2nd, 2012, RKR Hess recommends approval of the Change Order in the amount of approximately \$14,050.00 to mill and overlay those sections of the Tannersville Inn Parking lot damaged by extensive water ponding during construction. H. Bengel made a motion, seconded by F. Hess, to approve the Change Order - Tannersville Parking Lot - for Contract No. 4 in the amount of \$14,050.00. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- Contract No. 4 - In accordance with RKR Hess's memo dated May 2nd, 2012, the contractor (Pioneer Construction) has provided a cost estimate of \$2,500.00 to plant arborvitae to prevent an unsafe condition at the Weichert Realty parking lot. RKR Hess also obtained an estimate from Pocono Farmstand & Nursery, a local landscaping company to perform the work at a cost of \$557.56. The Solicitor had already reviewed this and had no objections. Bengel made a motion, seconded by F. Hess, to approve the providing and planting of arborvitae by Pocono Farmstand & Nursery at the estimated cost of \$557.56. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- Contract No. 9 - RKR Hess recommends approval of Payment Request No. 9 in the amount of \$14,323.62 for work completed through January 31th, 2012. The work is eligible under the EPA STAK Grant and the PennVEST \$11.7M Grant for Phase II. This Payment Request relates to Pump Station No. 2 (at the old softball field near Rt. 715). H. Bengel made a motion, seconded by F. Hess, to approve Payment Request No. 9, Contract No. 9, in the amount of \$14,323.62 to Pioneer Construction. Roll call vote: H. Bengel, yes; and F. Hess, yes. Motion carried.

- Contract No. 9 - EPA Submittal - H. Bengel made a motion, seconded by F. Hess, to authorize RKR Hess to submit the above Payment Request No. 9 to EPA for reimbursement under the STAK Grant, which pays 55% (\$7,877.99) of eligible expenses. Roll call vote: H. Bengel, yes; and F. Hess, yes. Motion carried.

HORIZONTAL DIRECTIONAL DRILL (HDD) SEWER BYPASS

- On April 5th, bids were opened for Wire Line mapping of the existing HDD Section previously installed under Contract No. 6. Notice of Intent to Award was issued to Carson & Roberts Site Construction and Engineering, Inc. on April 17th, 2012. RKR Hess recommends issuance of Final Award Notice, execution of Contracts and issuance of Notice to Proceed, contingent upon the Sewer Solicitor's favorable review of the Contract Documents, Bonds, and Insurance Certificates. The Contractor is required to complete the work and provide the final report within 30 days of the Notice to Proceed. H. Bengel made a motion, seconded by F. Hess, to (i) authorize the RKR Hess Associates to issue a Final Award Notice; (ii) authorize the chairman or vice-chairman, and the secretary or assistant secretary, to execute three (3) duplicate originals of the Contract No. 16 - HDPE Sewer Main Mapping Agreement; (iii) authorize the delivery of one (1) fully executed duplicate original of the Contract to Carson & Roberts Site Construction and Engineering, Inc., (iv) authorize RKR Hess Associates to issue a Notice to Proceed, all conditioned upon the Contractor satisfactorily complying with the items (A through C) referred to in the Twp. Sewer Solicitor's letter dated 05/02/2012. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- RKR Hess has received approval from PADEP and Monroe County Conservation District for the proposed HDD Bypass installation. The Highway Occupancy Permit Application and Plans are under review at PADOT District 5.0. A meeting with PADOT District Permit Manager is scheduled May 7th, 2012.
- Based upon the videotaping of the HDD pipe on March 29th, 2012, RKR Hess has concerns that the redesign of the bypass may need to be expanded to address additional sections of the pipe near Bulger's Run. In accordance with RKR Hess's letter of May 2nd, 2012, RKR Hess requires authorization to proceed with re-design and re-permitting of these remaining areas for an additional cost of \$15,000.00. H. Bengel made a motion, seconded by F. Hess, to authorize RKR Hess to proceed with the re-design and re-permitting of the remaining areas at an additional cost of \$15,000.00. F. Hess, yes; and H. Bengel, yes; Motion carried.

- Contract No. 12 - RKR Hess recommends approval of Payment Request No. 2 - Final to Ankiewicz Enterprises to closeout this contract and release retainage, in the amount of \$9,805.05, as per R.K.R. Hess' letter of 05/01/2012. H. Bengel made a motion, seconded by F. Hess, to approve the Final Payment Request No. 2 - Contract No. 12, for Ankiewicz Enterprises and release retainage, conditioned upon receipt and approval of all required close-out documentation. Roll call vote; F. Hess, yes; and H. Bengel, yes. Motion carried.
- Contract No. 14 - PACT Construction - The entire length of the transmission pipeline from Pump Station No. 5 to Valve Station No. 2 at the Regional Wastewater Treatment Plant on Lower Main Street has been installed.
- Contract No. 14 - PACT Construction - RKR Hess recommends Payment Request No. 5 in the amount of \$595,166.45. H. Bengel made a motion, seconded by F. Hess, to approve Contract No. 14, Payment Request No. 5, PACT Construction, in the amount of \$595,166.45. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- Contract No. 15 - JOAO & Bradley is commencing with Final Paving of areas disturbed by forcemain construction. Stroudsburg Borough is planning to pave the following streets this year; McConnell St., Fulmer Ave., Wallace St. and Brown St. In accordance with our letter of March 16th, 2012, RKR Hess recommends that paving of the trench lines on these streets be removed from Contract No. 15, and that a capital contribution of \$66,228.00 be made to the Borough of Stroudsburg, in lieu of restoration that otherwise would be performed under Contract No. 15. H. Bengel made a motion, seconded by F. Hess, to remove paving of the trench lines on McConnell St., Fulmer Ave., Wallace St., and Brown St. from Contract No. 15, and to approve a capital contribution in the amount of \$66,228.00 be made to the Borough of Stroudsburg, in lieu of restoration that otherwise would be performed under Contract No. 15, for paving of streets in Stroudsburg. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

JOINT MUNICIPAL WWTP CAPITAL CONTRIBUTION

- In accordance with RKR Hess's letter of April 25th, 2012, RKR Hess is recommending approval and authorization of Payment Application No. 3 of the PennVEST \$8.3M loan to be drawn in the amount of \$1,008,814.00. Upon receipt, these funds will be applied toward Pocono Township's share of Capital Contribution to the Joint Wastewater Treatment Plant. H. Bengel made a motion, seconded by F. Hess, to approve Payment Application No. 3 of the PennVEST \$8.3 Loan to be drawn in the amount of \$1,008,814.00, and upon receipt, to apply the same towards Pocono Township's share of the Capital Contribution to the Joint Wastewater Treatment Plant. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

- RKR Hess recommend issuance of Final Award Notice, execution of the Contract and issuance of Notice to Proceed, contingent upon the Sewer Solicitor's favorable review of the Contract Documents, Bonds and Insurance Certificates. No action taken at this time as certain Contract Documents still need to be submitted by the Contractor.

PUMP STATION NOS. 3,4, & 5 CONSTRUCTION

- Contract No. 11 - PACT Two is performing mechanical construction and site work at Pump Station Nos. 3, 4, & 5.
- Contract No. 11 - PACT Two Construction - Payment Request NO. 9 in the amount of \$354,144.99. H. Bengel made a motion, seconded by F. Hess, to approve Contract No. 11, Payment Request No. 9 in the amount of \$354,144.99 to PACT Two. Roll call vote: H. Bengel, yes; and F. Hess, yes. Motion carried.

FINANCING

- RKR Hess requested authorization to submit H2O PA Reimbursement Application NO. 5 to the PA Department of Community & Economic Development. The anticipated amount of the application is \$2,363,966.83 of which H2O PA will pay approximately 2/3. H. Bengel made a motion, seconded by F. Hess, to approve and authorize RKR Hess to submit H2O PA Reimbursement Application No. 5 to the PA Department of Community and Economic Development. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

ACT 537 SEWER CONNECTION REGULATIONS

- RKR Hess outlined a number of action items to be considered for inclusion in the Task Activity Report in their letter of 04/24/2012. This is the first steps in preparing an amendment to the Act 537 Plan. H. Bengel made a motion, seconded by F. Hess, to authorize the Twp. Secretary to sign and submit the Task Activity Report to PADEP for review on behalf of Pocono Township. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

UPDATED SEWER USER RATE CALCULATIONS AND CONNECTION POLICIES

- RKR Hess requested a decision on the Tapping fee and Connection Action Items previously presented to the Supervisors. No action taken.

NEW BUSINESS:

- H. Bengel made a motion, seconded by F. Hess, to adopt Resolution No. 614 - Commending Stephen R. Hatton for obtaining the Rank of Eagle Scout. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- H. Bengel made a motion, seconded by F. Hess, to adopt Resolution No. 615 - Commending Aaron Christopher Parks for obtaining the Rank of Eagle Scout. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- H. Bengel made a motion, seconded by F. Hess, to adopt Resolution No. 613 - Authorizing the placements of Banners across State Highways and Right-of-ways. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- Professional Services Agreement - Monroe-Pike Land, LLC, for the Reserve at Cherry Lane Final Land Development Plan. H. Bengel made a motion, seconded by F. Hess, to approve the Professional Services Agreement for Monroe-Pike Land, LLC. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.
- Pennsylvania Recycling Technical Assistance Application. H. Bengel made a motion, seconded by F. Hess, to submit the Pennsylvania Recycling Technical Assistance Application for assistance in developing and implementing a mandatory recycling program, consistent with the requirements of Act 101. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

PUBLIC COMMENT: Several residents spoke concerning the cost of Sewer hookup and fees.

Executive Session:

The Supervisors went into executive session to discuss a sewer easement condemnation litigation settlement matter at 8:05 p.m. and reconvened the regular meeting at 9:20 p.m.

ADJOURNMENT:

H. Bengel made a motion, seconded by F. Hess, to adjourn the meeting. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.