

**POCONO TOWNSHIP SUPERVISORS
SPECIAL MEETING
August 28, 2012**

MINUTES

Chairman Frank Hess opened the meeting at 7:02 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: F. Hess, Chairman; H. Werkheiser, Vice Chairman; H. Bengel, Supervisor; Frank Froio, Township Administrator; Jeffrey Durney, Township Solicitor

ANNOUNCEMENTS/CALENDAR:

Board of Supervisors Regular Meeting on September 3, 2012 is cancelled due to the Labor Day holiday

HJP Park Board Meeting on September 4, 2012 at 11:00 a.m.

Sewer Meeting on September 5, 2012 at 6:00 p.m.

Planning Commission Meeting on September 10, 2012 at 7:00 p.m.

Board of Supervisors Regular Meeting on September 17, 2012 at 7:00 p.m.

SPECIAL PRESENTATION:

Michelle Bisbing from the Monroe County Industrial Development Authority made a brief presentation regarding the creation of a Tax Incremental Financing Planning Committee with respect to the proposed Camelback Lodge and Waterpark property. M. Bisbing requested that Pocono Township appoint someone as a representative on the Planning Committee. H. Bengel volunteered to be the Township's representative on the TIF Planning Committee. H. Werkheiser made a motion, seconded by F. Hess, to appoint H. Bengel as the Township's representative on the TIF Planning Committee. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

PUBLIC COMMENT:

None.

SOLICITOR'S REPORT:

Frantz Hill Road Culvert Project – Authorization to Execute Contract Documents – J. Durney advised that the Board had previously awarded the contract for the Frantz Hill Road Culvert Project to Northeast Site Contractors, the lowest responsible bidder, at the Board's July 2, 2012 meeting. J. Durney advised that both he and the Township Engineer Jon Tresslar reviewed the contract documents and found them to be in order. The contract documents were executed in accordance with prior award and approval.

Camelback Lodge and Waterpark – Minor Modification Request – J. Durney advised that Camelback had made proposed revisions to its land development plan that had been previously approved with conditions. Nate Oiler, the project engineer, provided additional detail regarding the revisions. J. Durney advised that the proposed modifications had been reviewed by the Township Engineer, David Horton, and he opined that the modifications were minor. H. Werkheiser asked whether additional approvals were required from DEP. N. Oiler advised that all necessary approvals were being sought and that the Conservation District was processing the request as a minor modification. N. Oiler further advised that no final approval was being requested; rather, the applicant was seeking confirmation that the revisions would be addressed along with the conditions of approval in the December 2009 plan approval. H. Bengel made a motion, seconded by F. Hess, to hold that the proposed revisions are minor modifications to the plan and would be addressed along with the conditions of approval in the December 2009 plan approval. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

TDQ Land Equities (Dairy Queen) – Authorization to Advertise Conditional Use Hearing – J. Durney advised a Conditional Use Hearing needed to be scheduled for the Application of TDQ Land Equities application with respect to a sign plaza along Route 611 for the new Dairy Queen restaurant. J. Durney advised that the Applicant requested that the hearing be scheduled for the Board’s October 1, 2012 meeting, as the Applicant’s attorney had a scheduling conflict on the date of the Board’s September 17, 2012 meeting. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the advertisement of the Conditional Use Hearing for October 1, 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Northampton Community College – HOP Application No. 14190 -- J. Durney advised that the Board approved serving as the Applicant with respect to a Highway Occupancy Permit with respect to a stormwater crossing at its August 6, 2012 meeting subject to entry into a Maintenance and Indemnification Agreement between the College and the Township. J. Durney advised that he prepared an Agreement, which had been reviewed by the Township Engineer and had been executed by the College. H. Bengel made a motion, seconded by H. Werkheiser, to authorize F. Hess to execute the Agreement and HOP documents on behalf of the Township. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Adams Outdoor – Zoning Hearing Board Hearing – J. Durney advised that a hearing was scheduled before the Zoning Hearing Board with respect to the applications of Adams Outdoor with regard to the replacement of certain existing billboards with digital signs. The proposal is to replace 5 existing billboards on the D’Amico property with a single digital sign. A second proposal is to change the sign face on an existing billboard located on the property of Winds West from a tri-vision surface to a digital sign. H. Bengel expressed his support of the Adams Outdoor proposals to reduce the non-conformity of the existing signs. H. Bengel further cited Adams Outdoor’s willingness to allow the Township to utilize the digital sign for announcements and in the case of public

emergencies. H. Bengel stated that he would like to the Board to offer its support in favor of the applications. H. Werkheiser expressed his opinion that the Board should permit the Zoning Hearing Board hearing to proceed without offering its input. F. Hess expressed his support for the ability to utilize the digital signs for Township related messages and for emergencies. J. Durney advised that the Township was free to express its opinion to the Zoning Hearing Board. J. Durney suggested that the Board could send a representative to the ZHB hearing or could draft a letter to the ZHB expressing its position with respect to the application. A brief discussion followed. H. Bengel made a motion, seconded by F. Hess, to authorize F. Froio to draft a letter of support for the Adams Outdoor applications before the Zoning Hearing Board conditioned upon the Township being authorized to utilize the signs for emergencies and other issues of public concern as previously offered by Adams Outdoor at its presentation before the Board on May 21, 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, no; F. Hess, yes. Motion carried.

Tanalo Estates Major Subdivision – J. Durney advised that at the Board’s August 4, 2012 meeting, the Tanalo Estates land development plan was conditionally rejected based upon a failure to address the conditions in the review letter of the Township Engineer. The Board permitted the Applicant to submit a time extension letter prior to August 17, 2012, the final date by which action had to be taken on the plan. J. Durney advised that the Applicant had submitted a time extension letter on August 7, 2012.

ADMINISTRATOR’S REPORT:

Toy Cess Pool Failure – Consideration of Well Isolation Distance Waiver – F. Froio advised that the Toys, who own the property located at 317 Big Hill Path, had experienced a cess pool failure. The existing cess pool is located 45 feet from the well. Jeryl Rinehart, the Toys’ septic designer, has prepared a plan to install an elevated sand mound septic system 80 feet from the well, which is the only location on the property a system can be installed given the existing steep slopes. The Toys sought a waiver from the 100 foot well isolation distance. F. Froio advised that both the Township Engineer, D. Horton, and the Township SEO, Dave Manter, opined that the exemption request was reasonable and recommended approval of the waiver. A brief discussion followed. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Well Isolation Distance Waiver. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

BENECON Group – Authorization to Execute Agreements – F. Froio advised that a proposal had been received from BENECON Group with respect to transferring administration of the Township’s health plans. The Township’s health plans would remain identical. A savings would be achieved by utilizing BENECON and becoming a member of the Pennsylvania Municipal Health Insurance Cooperative. F. Froio advised that the savings for the next 15 months would be approximately \$39,000. H. Bengel made a motion, seconded by H. Werkheiser, to authorize F. Hess to execute the contract documents on behalf of the Township. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Ordinance 2012-05 – Authorization to Advertise – F. Froio advised that in order to achieve the costs savings with respect to the Township’s health plans, the Township must adopt an ordinance to become a member of the Pennsylvania Municipal Health Cooperative, a statewide group formed for the purpose of collectively purchasing employee benefits insurance. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the advertisement of a public hearing to consider adoption of Ordinance 2012-05 authorizing the Township to become a member of the Pennsylvania Municipal Health Insurance Cooperative and to enter into an intergovernmental agreement for the purpose of joining PMHIC and participating as a member. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Consideration of Appointment of Additional Township Depositories – F. Froio advised that Citizens Bank no longer wishes to handle municipal business. F. Froio advised that First National Bank and ESSA Bank & Trust have expressed a willingness to provide banking services to the Township. H. Bengel made a motion, seconded by H. Werkheiser, to approve First National Bank and ESSA Bank & Trust as Township Depositories. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Fall Clean Up – F. Froio advised that the dates for the Township’s Fall Clean-Up would be September 27, 28 and 29, 2012.

Property Maintenance and Animal Control Ordinances – Referral to Planning Commission – F. Froio advised that draft ordinances concerning property maintenance and animal control had been prepared. The Board by consensus referred the draft ordinances to the Planning Commission for review and comment.

Professional Services Agreements – F. Froio advised that Professional Services Agreements had been received from Camelback and Pocono Manor Investors. H. Bengel made a motion, seconded by H. Werkheiser, to authorize F. Hess to execute the Agreement with Camelback on behalf of the Township. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried. H. Bengel made a motion, seconded by H. Werkheiser, to authorize F. Hess to execute the Agreement with Pocono Manor Investors on behalf of the Township. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

PAYMENT OF BILLS:

F. Froio advised that in addition to the bills contained on the Bill Payment List dated August 3, 2012, there was a \$1,050 bill from Gotta Go Potties. H. Bengel made a motion, seconded by H. Werkheiser, to approve payment of the semi-monthly bills on the Bill Payment List dated August 17, 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

H. Bengel made a motion, seconded by H. Werkheiser, to approve payment of the semi-monthly bills on the Bill Payment List dated August 28, 2012, including the 6 bills listed

on the addendum. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

APPROVAL OF MINUTES:

H. Bengel made a motion, seconded by H. Werkheiser, to approve the minutes of the August 6, 2012 Regular Board of Supervisors Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

PUBLIC COMMENT:

A question was asked regarding the status of the International truck. F. Hess advised that information was still being gathered.

Jane Cilurso asked about the status of the police contract negotiations. F. Hess advised that the negotiations were expected to be completed in the near future.

ADJOURNMENT:

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 7:59 p.m., until September 17, 2012, at 7:00 p.m., at the Pocono Township Municipal Building. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.