

**POCONO TOWNSHIP SUPERVISORS
REGULAR MEETING
October 7, 2013**

MINUTES

Chairman Frank Hess opened the meeting at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Frank Hess, Chairman; Harold Werkheiser, Supervisor; Henry Bengel, Vice Chairman; Frank Froio, Township Administrator; David Horton, Township Engineer; Andy Bohl, Alternate Township Engineer; Colby Grim, Alternate Township Solicitor; Jeffrey Durney, Township Solicitor

ANNOUNCEMENTS/CALENDAR:

Planning Commission Meeting on October 14, 2013 – CANCELLED (Columbus Day holiday)

Sewer Meeting on October 15, 2013 at 6:00 p.m.

Township Fall Clean-Up on October 10-12, 2013

Board of Supervisors Meeting on October 21, 2013 at 7:00 p.m.

PUBLIC COMMENT:

None.

CONDITIONAL USE HEARING – Trap Enterprises

Alternate Solicitor Colby Grim opened the conditional use hearing with respect to the application of Trap Enterprises to construct a digital electronic billboard on its property located on Route 611 immediately across from the I-80 Exit 298 ramp and the Scotrun Diner in Scotrun (PIN 12637303133290). The property consists of 4.96 acres and is located in the C Zoning District. Attorney Marc Wolfe represented the Applicant. C. Grim provided an overview of the application and the conditional use hearing process. M. Wolf presented two witnesses, Jon Tresslar, Engineer with Boucher & James, and Tom McKeown, realtor/appraiser. No person requested party status. There was detailed testimony concerning the property and the nature of the proposed digital billboard. There were also numerous questions from members of the public. After extended discussion, the Board closed the record. The Board admitted Township Exhibits 1-4 and Applicant Exhibits 1-14 into evidence. The Board adjourned briefly into executive session to discuss legal questions with the Solicitor. H. Bengel made a motion, seconded by H. Werkheiser, to approve the conditional use application of Trap Enterprises to construct a digital billboard on its property subject to the following conditions: (1) the Applicant must comply with the terms of the Pocono Township Zoning Hearing Board decision

related to the construction of the billboard; (2) Applicant must remove all existing billboards on the property; (3) Applicant must supply written approval of the proposed location of the billboard from PennDOT; and (4) Applicant must comply with all Township, County and State regulations and requirements. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

PRESENTATION: Suburban Ambulance

Barry Albertson provided an overview of Suburban’s history and the services the company could provide to the Township. Suburban is a non-profit corporation founded in 1953 that provides ambulance services to 20 municipalities including Stroud Township and the Boroughs of Stroudsburg and East Stroudsburg. Suburban has 27 ambulances in service. B. Albertson stressed that he had not approached the Township because of any service issues involving Central Pocono Ambulance, but that he believes Suburban can provide services in a more cost effective manner. B. Albertson stated that he was not contacted by any of the Supervisors, but rather that he contacted the Township and requested an opportunity to discuss Suburban’s services. B. Albertson described the manner in which Suburban operates and the manner in which it achieves operational efficiencies. B. Albertson further advised that he provided a packet of information to the Supervisors regarding Suburban’s financial viability. B. Albertson stated that Suburban would seek a one-time set up fee of approximately \$40,000 to \$50,000 in order to set up a station in the Township, but would otherwise not charge any fees or seek any gas reimbursements from the Township. B. Albertson further advised that Suburban would be willing to hire employees of Central Pocono if they met the necessary qualification standards. There were numerous questions from the audience and an extended discussion. Among the issues discussed included patient reimbursements and write-offs, subscription programs, quality control surveys and services. The Township currently provides \$140,000 per year to Central Pocono. Several residents offered their support for the current services of Central Pocono and opposed any change. H. Werkheiser stated that he would pay the extra money each year to keep Central Pocono. F. Hess advised that the presentation was at the request of Suburban and was informational.

SOLICITOR’S REPORT:

Pocono Manor Investors, LP – Pocono Manor PRD Time Extension Request. J. Durney advised that the Township had received a time extension request from Pocono Manor Investors with respect to its proposed PRD. The Applicant sought a time extension to October 31, 2014, based upon economic conditions and the developer’s involvement in the Kalahari project. J. Durney advised that the Township Planning Commission recommended approval of the time extension request subject to it being the final extension granted. H. Bengel made a motion, seconded by H. Werkheiser, to approve the time extension request of Pocono Manor to October 31, 2014. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

ENGINEER’S REPORT:

Sanofi Pasteur VDL Phase 3A & 3B – Consideration of Preliminary/Final Plan Approval. Michael Wilk, Engineer from Borton Lawson, provided an overview of the plan. M. Wilk advised that Sanofi was requesting 2 requests for modification (“RFMs”) and final

approval of the plan. The RFMs were from SALDO §2.106 to allow for concurrent preliminary/final plan approval and from SALDO §§2.302.A and 2.303.B to allow for adjustment of the required drawing scale. There was a short discussion concerning the plan. D. Horton advised that the Applicant had addressed all outstanding issues and he supported approval of the plan and RFMs. H. Bengel made a motion, seconded by H. Werkheiser, to approve the RFMs from SALDO §§2.106, 2.302.A and 2.303.B. 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 the preliminary/final plan subject to all normal and customary conditions, including compliance with all Township ordinances and satisfaction of all outstanding Engineer's and Solicitor's review comments. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

The Reserve at Bryson's Farm – Consideration of Final Plan Approval. Frank Smith, Surveyor, was present on behalf of the Applicant. F. Smith provided an overview of the plan and the history of the proposed development. The Applicant sought 3 Requests for Modification. The RFMs were from SALDO §2.106 to allow for concurrent preliminary/final plan approval; from SALDO §2.302 since the Board was familiar with the plan from the recent subdivision approval; and from Ordinance 138 for relief from one point of interest. The Planning Commission recommended approval of the RFMs and the final plan, subject to compliance with any outstanding engineer comments. D. Horton advised that there were outstanding issues concerning open space and in lieu of fees and security for the Development Agreement, but that these were issues that would be completed in the ordinary course. D. Horton had no objection to approval of the RFMs and final plan. H. Bengel made a motion, seconded by H. Werkheiser, to approve the RFMs from SALDO §§2.106 and 2.302 and Ordinance 138. 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 the preliminary/final plan subject to all normal and customary conditions, including compliance with all Township ordinances and satisfaction of all outstanding Engineer's and Solicitor's review comments. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

ADMINISTRATOR'S REPORT:

Novachip, Crack Sealing and Line Painting – Consideration of Bid Award. F. Froio provided details concerning the Novachip, Crack Sealing and Line Painting bids. H. Bengel made a motion, seconded by H. Werkheiser, to award the Novachip and Crack Sealing bid to Asphalt Maintenance Solutions at a price of \$472,728.12. H. Bengel made a motion, seconded by H. Werkheiser, to award the Line Painting bid to Midlantic Marking at a price of \$7,895.76. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Pocono Township Volunteer Fire Company – Grant Support Letter of Request. F. Froio advised that the Fire Company requested that the Township provide a letter of support in connection with the Fire Company's grant request for a new 3,000 gallon fire tanker truck. Kevin Kresge from the Fire Company advised that a Resolution was necessary in connection with the requested support. H. Bengel made a motion, seconded by H.

Werkheiser, to adopt a Resolution in support of the Fire Company's grant application for a new 3,000 gallon fire tanker truck. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried. **RESOLUTION NO. 2013-26.**

Sale of Surplus Vehicles – Authorization to Sell to Highest Bidder. F. Froio advised of the results of the auction for the Township's surplus vehicles. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the sale of the vehicles to the highest bidders (2002 Chevy Impala: \$1,750.00; 2001 Chevy Impala: \$1,550.00; 1996 Jeep Cherokee: \$2,701.01). Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Snow Plowing Bids – F. Froio requested that the Board authorize the bidding for on-call snowplowing for 2013-14. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the bidding for on-call snowplowing for the winter of 2013-14. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Department Head Discussion of Capital Item Requests for 2014 Budget. F. Froio advised that Department Heads had been requested to provide their capital item requests as part of the 2014 budget process. F. Hess advised that he would like to see upgrades in the audio/visual capabilities of the Township Meeting Room; a new filing system; new carpet in the Township Building; and a new desk as his desk is falling apart. Assistant Police Chief Kent Werkheiser stated that the Police Department is requesting new vehicles; onboard computers for the police vehicles; a few additional long rifles; laptop computers; cell phones; additional secretarial assistance; two new police officers; 10 new vests; and miscellaneous repairs to the Police Building. There was a brief discussion about the roads. There was a brief discussion about the capital item requests.

PAYMENT OF BILLS:

H. Bengel made a motion, seconded by H. Werkheiser, to approve payment of the semi-monthly bills on the Bill Payment List dated October 7, 2013. Approved bill payments: **GENERAL FUND: \$325,777.19; PARK FUND: \$2,573.52; DEBT SERVICE: \$8,164.24.** 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 September 16, 2013 Board of Supervisors Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

H. Werkheiser made a motion, seconded by F. Hess, to approve the minutes of the August 20, 2013 Sewer Meeting. Roll call vote: H. Bengel, abstained; H. Werkheiser, yes; F. Hess, yes. Motion carried.

OLD BUSINESS:

J. Cilurso asked about an agreement with F. Froio. F. Hess stated that no written contract had been entered into. J. Cilurso asked about the appointment of a Public Works Director. F. Hess advised that no decision had been made. A short discussion followed. J. Cilurso asked whether H. Werkheiser had been reimbursed for his boots. F. Hess advised that he had not yet been reimbursed.

NEW BUSINESS:

None.

PUBLIC COMMENT:

Maxine Tripolsi read a letter of support for Central Pocono Ambulance.

F. Hess advised that Representative Scavello had secured additional monies for the Route 611 bridge project that would allow overtime to be paid and should reduce the time of the project significantly.

F. Hess advised that the Camelback Road bridge was scheduled to be completed within two weeks.

F. Hess requested a motion that would request the Township Solicitor to prepare a resolution that would prohibit Supervisors from taking paid positions within the Township. There was a brief discussion. Judi Coover questioned whether such a resolution would be enforceable. A short discussion followed. H. Bengel made a motion, seconded by F. Hess, to direct the Solicitor to draft a resolution prohibiting the Supervisors from holding paid positions within the Township. Roll call vote: H. Bengel, yes; H. Werkheiser, no; F. Hess, yes. Motion carried.

EXECUTIVE SESSION:

J. Durney announced that there would be a brief Executive Session immediately following the meeting in order to discuss a potential litigation matter.

ADJOURNMENT:

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 9:59 p.m., until October 21, 2013 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.