

**POCONO TOWNSHIP SUPERVISORS  
REGULAR MEETING  
November 18, 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; Jeffrey Durney, Township Solicitor

**ANNOUNCEMENTS/CALENDAR:**

Sewer Meeting on November 19, 2013 at 6:00 p.m.

Planning Commission Meeting on November 25, 2013 at 7:00 p.m.

Board of Supervisors Meeting on December 2, 2013 at 5:00 p.m. (F. Hess noted the earlier time of the meeting.)

**PUBLIC COMMENT:**

None.

**ENGINEER'S REPORT:**

Tanalo Estates Major Subdivision Plan – Consideration of Preliminary Approval. D. Horton provided an overview of the plan. Sarah Bue-Morris, engineer, was present on behalf of the applicant. S. Bue-Morris provided additional detail concerning the plan. The plan consists of 5 lots, reduced from the original plan that proposed 10 lots. D. Horton advised that the Planning Commission recommended approval of the plan subject to the applicant resolving safe sight stopping distance issues and other conditions identified by the Township Engineer. D. Horton advised that the applicant had completed the required speed study in accordance with PennDOT standards. D. Horton further advised that the applicant had satisfied the comments in his most recent review letter with the exception of certain issues identified in Comment #1. H. Bengel made a motion, seconded by H. Werkheiser, to grant preliminary plan approval subject to all normal and customary conditions, including compliance with all Township ordinances, payment of all fees 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 Spirit of Swiftwater – Time Extension Request. D. Horton advised that a time extension request had been received from The Spirit of Swiftwater seeking an extension until January 31, 2014 with respect to the review of its Preliminary Land Development

plan. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension request to January 31, 2014. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Sheldon Kopelson – Time Extension Request. D. Horton advised that a time extension request had been received from Sheldon Kopelson seeking an extension until January 31, 2014 with respect to the review of his Minor Subdivision Plan; Lot No. 1 Planned Residential Development Tentative Use/Conditional Use Plan; Lot No. 2 Commercial Development Conditional Use; and Lot No. 3 New Land Development Plan. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension requests to January 31, 2014. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

### **SOLICITOR'S REPORT:**

Pocono Township Commissioner and Tax Collector Appointments. J. Durney read the announcement issued by President Judge Worthington regarding the process for the appointment by the Court of the five First Class Township Commissioners and the Township Tax Collector. J. Durney further advised that the announcement was posted on the Township's website and on the Township building.

Camelback Ski Resort – Request for Temporary Employee Parking at Mountain View Park. J. Durney reported on the request from Camelback to utilize Mountain View Park for employee parking on certain weekends and busy days during the winter. The need for parking is a result of the ongoing construction of the new hotel and waterpark, which will temporarily displace parking spaces. Charles Blier was present on behalf of Camelback and provided additional details regarding the request. Camelback agreed that it would indemnify the Township against any claims resulting from the use of the park and will also provide insurance. Camelback also agreed that it would return the park to the same condition it was when the use began; it will provide all necessary snow plowing and salting to insure safe use; it will provide security during all times employee vehicles are present; it will block access for all areas not being used for employee parking; it will provide a shuttle service for its employees; it will properly lock and unlock the park gate; it will require that employees have identification for their vehicles; and it will insure continued access to the those parts of the park open to the general public. A discussion followed. H. Werkheiser expressed his concern that allowing Camelback use of the park would set a precedent for future requests regarding use of Township property. F. Hess suggested that if someone rented the 4 pavilions in the park, there would be a charge of \$200 per day. H. Bengel made a motion, seconded by F. Hess, to grant Camelback's request to use Mountain View Park for employee parking from December 26, 2013 to March 2, 2014 on Saturdays and Sundays and certain peak holidays subject to the terms of the use being formally documented and at a cost to Camelback of \$200 per day for each day the park is used by Camelback. Roll call vote: H. Bengel, yes; H. Werkheiser, no; F. Hess, yes. Motion carried.

Ryan Possinger – Authorization to Advertise Conditional Use Hearing. J. Durney advised that Mr. Possinger requested that a conditional use hearing be held in connection

with his application on December 16, 2013. J. Durney advised that the application was scheduled to be reviewed by the Planning Commission at its next meeting. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the advertisement of the conditional use hearing for December 16, 2013 subject to the completion of the Planning Commission's review and to schedule the hearing on December 16, 2013 at 6:00 p.m. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; 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 pending litigation matter. No action would be taken on the matter at tonight's meeting.

**ADMINISTRATOR'S REPORT:**

On Call Snowplowing – Consideration of Bid Award. F. Froio advised that bids had been received for on call snowplowing for the winter season and Cobalt was the successful bidder. Cobalt added a second truck to its bid. H. Bengel made a motion, seconded by H. Werkheiser, to award the on call snowplowing bid to Cobalt for the winter of 2013-14. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

American Red Cross “Run for the Red” Marathon – Approval Letter. F. Froio advised that the Red Cross had submitted a letter requesting approval to utilize certain of the Township's roads for the 2014 marathon on May 18, 2014. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the Chairman to sign the requested approval letter. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Pennoni Associates – Consideration of Proposal for Additional Services (Pump Station #6). F. Froio advised that a proposal had been submitted from Pennoni Associates for additional services in connection with Pump Station #6 and the work on the Pocono Farmstand property. The proposal is in the amount of \$15,000. H. Bengel made a motion, seconded by H. Werkheiser, to approve the proposal for additional services provided by Pennoni Associates in connection with Pump Station #6. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Trap Enterprises – Conditional Use Adjudication. F. Froio advised that the written adjudication in connection with the Trapasso conditional use hearing for approval of an electronic or digital billboard held on October 7, 2013 was ready for approval. H. Bengel made a motion, seconded by H. Werkheiser, to approve the written adjudication in the Trapasso Conditional Use matter. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Fall Clean-Up 2013 – Summary. F. Froio provided a summary of the results of the fall clean-up.

2012 Financial Statements – Consideration of Approval of Audited Financial Statements. F. Froio advised that the audited financial statements had been completed by the auditors. H. Bengel made a motion, seconded by H. Werkheiser, to accept and approve the 2012 Audited Financial Statements as presented. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

2014 Township Budget Presentation – Authorization to Advertise. F. Froio provided a detailed presentation concerning the proposed 2014 budget. F. Froio advised that the proposed budget included a 2 mill tax reduction. A short discussion followed. Monica Gerrity questioned whether sufficient funds had been allocated toward the roads. H. Werkheiser stated that there was not enough money in the budget for the roads. H. Werkheiser stated that he did not think the Board should adopt a budget as it would tie the hands of the new, incoming Board. J. Durney advised that a budget must be adopted and that the incoming Board would have certain rights to review and revise the budget in accordance with the relevant statutes. H. Bengel made a motion, seconded by F. Hess, to grant approve the advertisement of the 2014 budget. Roll call vote: H. Bengel, yes; H. Werkheiser, no; F. Hess, yes. Motion carried.

**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 November 18, 2013, subject to final review. Approved bill payments: GENERAL FUND: \$117,308.15; PARK FUND: \$13,429.28; DEBT SERVICE: \$3,477.01; LIQUID FUELS: \$36,735.00. 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 October 21, 2013 Board of Supervisors Meeting. 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 minutes of the October 29, 2013 Board of Supervisors Budget Work Session. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

**OLD BUSINESS:**

J. Durney asked whether the Board wished to postpone advertisement of the Second Hand Goods Ordinance for possible adoption until the new Board was appointed. H. Bengel made a motion, seconded by H. Werkheiser, to postpone advertisement for possible adoption of the Second Hand Goods ordinance until the new Board is appointed. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

**NEW BUSINESS:**

None.

**PUBLIC COMMENT:**

Charlie Cilurso commented upon the poor condition of the United States flag outside the Township building. F. Hess advised that he would explore getting the flag replaced.

**ADJOURNMENT:**

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 8:08 p.m., until December 2, 2013 at 5:00 p.m. at the Pocono Township Municipal Building. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.