

**POCONO TOWNSHIP SUPERVISORS  
REGULAR MEETING  
November 19, 2012**

**MINUTES**

Chairman Frank Hess opened the meeting at 7:06 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

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

**ANNOUNCEMENTS/CALENDAR:**

Sewer Meeting on November 20, 2012 at 6:00 p.m.

Planning Commission Meeting on November 26, 2012 at 7:00 p.m.

**PUBLIC COMMENT:**

None.

F. Hess discussed the Township's financial performance for 2012, including the cost savings measures instituted. F. Hess further provided an overview of the General and Capital Funds over the past several years, which reflected a substantial decrease in the Capital Fund. F. Hess suggested that the Township's strong performance in 2012 would permit replenishing the Capital Fund with \$250,000. The proposed budget for 2013 would also permit a slight reduction in the tax rate. F. Hess recommended that the Supervisors reduce the General Fund millage rate by ¼ mill. H. Bengel supported the tax reduction. H. Werkheiser expressed his concern that there are not sufficient funds in the 2013 budget for road maintenance. H. Bengel made a motion, seconded by F. Hess to reduce the millage rate for the General Fund for 2013 by ¼ mill. Roll call vote: H. Bengel, yes; H. Werkheiser, no; F. Hess, yes. Motion carried.

F. Hess advised that a review of the sewer project file has uncovered certain discrepancies regarding the sewer plant valuation and other issues. F. Hess advised that the Supervisors were seeking further clarification. F. Hess further advised that a forensic audit was under consideration.

**SPECIAL PRESENTATION:**

Crossing Abilities Playground/Mountain View Park: Vincent Trapasso, Charlie Trapasso, Neil Gallagher and Robert Felins provided a detailed presentation concerning the Crossing Abilities All-Inclusive Playground project for special needs children at Mountain View Park. The intent of the project is to create a playground that permits children with disabilities to play along side their siblings and friends. The project would be the first of its kind in Monroe County. The project would be completed by volunteers

at no cost to the Township. The leaders of the project have already obtained financial and volunteer support for the project. Pennoni Engineers has donated its professional services; Schoonover and Vanderhoof have agreed to donate architectural services; and Robert Felins of F & F Paving has agreed to donate excavation services. BIU has agreed to waive its inspection fees associated with the project. H. Bengel expressed his support for the project and commended the volunteers for their efforts.

H. Bengel made a motion, seconded by H. Werkheiser, to waive the land development plan requirement with respect to the Crossing Abilities project. 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 plans presented for the Crossing Abilities project. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

H. Werkheiser made a motion, seconded by H. Bengel, to waive the permit fees associated with the Crossing Abilities project. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

H. Bengel made a motion, seconded by H. Werkheiser, to waive the stormwater ordinance requirements with respect to the Crossing Abilities project subject to receipt of an opinion from the Township Engineer that any stormwater impacts will be de minimis. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

**ENGINEER'S REPORT:**

None.

**SOLICITOR'S REPORT:**

Pocono Manor/Kalahari – Sewage Facilities Planning Mailer – J. Durney advised that the Township had been requested to complete a Planning Mailer in connection with the Pocono Manor/Kalahari project. J. Durney advised that the issue would be more appropriately addressed at a Sewer Meeting where the Township's Sewer Engineer was present. H. Bengel made a motion, seconded by H. Werkheiser, to table consideration of the Planning Mailer request until the Sewer Meeting on November 20, 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried. .

Camelback Lodge & Waterpark – NPDES Permit Application Renewal – CB H20 requested that the Township complete the necessary Municipal Land Use Letter documentation to be submitted to DEP. H. Bengel made a motion, seconded by H. Werkheiser, to complete the necessary documentation in connection with Camelback's NPDES Permit Application Renewal. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Northampton Community College – Traffic Signal Maintenance Agreement – J. Durney advised that the College had executed the Traffic Signal Maintenance Agreement required by the Township. J. Durney advised that the Township Engineer, Jon Tresslar,

had reviewed and approved the terms of the Agreement and the security to be posted by the College. H. Bengel made a motion, seconded by H. Werkheiser, to approve entry into the Traffic Signal Maintenance Agreement with the College. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Northampton Community College – Application for Permit to Install and Operate Traffic Signals – J. Durney advised that the College was ready to submit the necessary permit application to PennDOT for the installation and operation of the traffic signal to be installed at the intersection of Route 715 and Warner Road. The Township serves as the applicant. H. Bengel made a motion, seconded by H. Werkheiser, to execute and file the Application for Permit to Install and Operate Traffic Signals with PennDOT. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Stadden Road Property Townhouse Project – Time Extension Request – J. Durney advised that the time extension request submitted by Brilland Developments had been tabled at the November 5, 2012 Supervisors meeting. R. Felins was present on behalf of the developer. R. Felins explained that he was seeking an extension to December 31, 2015. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension request as set forth in Applicant’s letter to December 2015. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Northampton Community College – Stormwater Easement Agreement (YRC Property) – J. Durney advised that the College required a Stormwater Easement Agreement with the owners of the YRC property in connection with their stormwater facilities. J. Durney advised that J. Tresslar had reviewed the Agreement and was satisfied with the terms. J. Durney recommended that approval of the Agreement be contingent upon the College executing an Addendum to the existing Indemnity Agreement that makes clear that the Township’s obligations under the Stormwater Easement Agreement are covered by the College’s existing indemnification obligations. William Smith, the College’s Project Manager, indicated that the College had no objection to this condition. H. Bengel made a motion, seconded by H. Werkheiser, to approve entry into the Stormwater Easement Agreement (YRC Property) subject to the College executing an Addendum to the existing Indemnity Agreement extending the College’s indemnity obligations to the Stormwater Easement Agreement. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

#### **ADMINISTRATOR’S REPORT:**

Award of Road Material Bid – F. Froio advised that the Township opened bids for the road materials, but that there were a few questions that needed to be reviewed before awarding the bid. F. Froio advised that he would follow up to obtain the necessary information. H. Bengel made a motion, seconded by H. Werkheiser, to table the awarding of the road materials bid until the Board’s next meeting on December 3, 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Monroe County Vector Program – Payment Request – F. Froio advised that a payment request had been received from the County concerning mosquito spraying in 2013. H. Bengel made a motion, seconded by H. Werkhesier, to approve payment of up to \$3,000.00 for the County’s Vector Program for 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Consideration of Appointment of Assistant Zoning Officer – F. Froio advised that the Township was considering the appointment of Mike Tripus from BIU as the Township’s Assistant Zoning Officer. M. Tripus would work approximately 12 hours per week at a contracted rate of \$30 per hour. The appointment of an Assistant Zoning Officer would assure that a Zoning Officer would be present for some period of time each day of the week. H. Bengel made a motion, seconded by H. Werkhesier, to appoint Mike Tripus as Assistant Zoning Officer at a rate of \$30 per hour as an independent contractor for approximately 12 hours per week. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Professional Services Agreement – Horizon Millings – F. Froio advised that Horizon Millings was in need of a professional services agreement in order that monies could be escrowed and the company could communicate with the Township professionals. H. Bengel made a motion, seconded by H. Werkhesier, to approve the entry into a Professional Services Agreement with Horizon Millings. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Kettle Creek Environmental Fund – Donation – F. Froio advised that a donation request had been received from Kettle Creek Environmental Fund. H. Bengel commented on the valuable programs provided by the Kettle Creek. By consensus, the Board approved a donation of \$500.00.

Accounting System Change-Over – Professional Assistance – F. Froio advised that the Township was in the process of converting its accounting system to QuikBooks. Riley & Company agreed to provide professional assistance with the transfer of data and operation of the system. Riley would charge at a rate of \$45 per hour and an Addendum would be added to Riley’s existing agreement with the Township. H. Werkheiser questioned whether other bids had been solicited for the work. H. Bengel made a motion, seconded by F. Hess, to approve entry into an agreement with Riley & Company to provide necessary assistance with the transfer to and operation of QuikBooks accounting at a rate of \$45.00 per hour. Roll call vote: H. Bengel, yes; H. Werkheiser, no; F. Hess, yes. Motion carried.

Township Volunteer Positions – F. Froio recommended that the Supervisors consider advertising for volunteers to fill any open positions on the Township Boards. H. Bengel made a motion, seconded by H. Werkhesier, to advertise for volunteers for any open positions on the Township Boards. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; 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 19, 2012 (GENERAL FUND: \$106,280.50; PARK FUND: \$255.82; ROAD EQUIPMENT: \$1,014.30). 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 November 5, 2012 Board of Supervisors Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

**OLD BUSINESS:**

International Truck – F. Hess advised that the Board was still considering the best approach to take with the truck.

**NEW BUSINESS:**

None.

**PUBLIC COMMENT:**

A question was raised about whether the workers from Riley & Company are local residents. F. Froio confirmed that the person hired is a local person who had been laid off.

There was a discussion concerning the sewer project and a forensic audit.

A question was raised concerning the roofs on the bathrooms at Mountain View Park.

**EXECUTIVE SESSION:**

None.

**ADJOURNMENT:**

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 8:21 p.m., until December 3, 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.