

**POCONO TOWNSHIP SUPERVISORS  
REGULAR MEETING  
November 5, 2012**

**MINUTES**

Vice Chairman Harold Werkheiser opened the meeting at 7:04 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

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

**ANNOUNCEMENTS/CALENDAR:**

Sewer Meeting on November 7, 2012 at 6:00 p.m.

Planning Commission Meeting on November 12, 2012 at 7:00 p.m.

Park Board Meeting on November 14, 2012 at 7:30 a.m. (Township Building)

**PUBLIC COMMENT:**

None.

**ENGINEER'S REPORT:**

None.

**SOLICITOR'S REPORT:**

Resolution No. 630 – Consideration of Appointment of Berkheimer as LST Collector – J. Durney advised that the Township had been contacted by Centax, the Township's current LST collector, and Berkheimer regarding Berkheimer assuming the role of LST collector from Centax. J. Durney further advised that since the last Board meeting, he received the necessary information in order to recommend the adoption of the resolution. H. Bengel made a motion, seconded by H. Werkheiser, to adopt the Resolution No. 630 appointing Berkheimer as the Township's LST collector. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried. RESOLUTION NO. 630.

Tanalo Estates Major Suidivision Plan – Time Extension Request – Pursuant to a letter dated October 22, 2012, the Applicant's engineer, Sarah Bue-Morris, requested a time extension to February 13, 2013. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension request as set forth in Applicant's October 22, 2012 letter. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

Stadden Road Townhouse Project (Brilland Developments) – Time Extension Request – Pursuant to a letter the Applicant requested a time extension to December 31, 2015.

There was discussion regarding the length of the requested extension. The Board agreed to table the request pending receipt of further information from the Applicant.

Signal Service, Inc. – Consideration of Traffic Signal Maintenance Agreement – J. Durney advised that the renewal contract from Signal Service had been received. H. Bengel asked whether the contract price was similar to the price on the existing contract. F. Froio advised that he would research the existing contractual arrangement. H. Bengel made a motion, seconded by H. Werkhesier, to approve the Traffic Signal Maintenance Agreement with Signal Service subject to the price in the new contract being within 5% of the price on the existing contract. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

#### **ADMINISTRATOR’S REPORT:**

HJP Park – Payment Request – F. Froio advised that while the Township had paid HJP Park all of the amounts set forth in the 2012 budget, the Township still owed \$4,485.06 under the terms of the contract. It appears that the budget did not contain the proper amount necessary to meet the Township’s contractual obligation. H. Bengel made a motion, seconded by H. Werkhesier, to pay \$4,485.06 to HJP Park in compliance with the Township’s contractual obligation. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

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. H. Bengel made a motion, seconded by H. Werkhesier, to table the awarding of the road materials bid until the Board’s next meeting on November 19, 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

Award of Fuel Bid – F. Froio advised that Superior Plus Energy Services, the Township’s current supplier, was the only bidder for the Township’s fuel needs. F. Froio advised that the bid was consistent with his review of prevailing rates. H. Bengel made a motion, seconded by H. Werkhesier, to award the fuel contract to Superior Plus Energy Services. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

Central Pocono Ambulance Association – Letter of Support for House Bill 1344 – F. Froio advised that the Ambulance Association had requested that the Board send a letter of support for House Bill 1344 to all local representatives. The bill is designed to permit insurance carriers to pay ambulance charges to the ambulance companies, rather than forwarding the payment directly to the patient. The current process results in the ambulance companies being forced to pursue payment from the patients, many of whom will not pay for the services they received. H. Bengel made a motion, seconded by H. Werkhesier, to send a letter of support for House Bill 1344 to all local representatives. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

Pennsylvania Infrastructure Bank – Low Interest Loan Availability – F. Froio advised that the Pennsylvania Infrastructure Bank was a possible source of low interest financing

for certain infrastructure repairs and replacements. F. Froio provided a copy of the brochure he received for information purposes.

Consideration of Appointment of Assistant Zoning Officer – F. Froio suggested that the Township consider the appointment of Mike Trippis from BIU as the Township’s Assistant Zoning Officer. M. Trippis 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. Werkheiser questioned why the appointment was necessary and stated that he needed additional information before approving. The Board agreed to table consideration of the appointment pending further review.

Frantz Hill Road Culvert Replacement Project – Application for Payment Nos. 1 and 2 – F. Froio advised that Jon Tresslar, the Township Engineer, had reviewed the Applications for Payment Nos. 1 and 2 submitted by Northeast Site Contrators and recommended payment. H. Bengel made a motion, seconded by H. Werkhesier, to approve Application for Payment No. 1 in the amount of \$116,532.45 and Application for Payment No. 2 in the amount of \$40,747.50. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

2013 Budget Presentation – Authorization to Advertise – F. Froio provided a detailed overview of the proposed budget for 2013. As proposed, the budget does not include any tax increase. F. Froio outlined the revenue and expense assumptions used in drafting the budget. F. Froio advised that, upon the Board’s approval, the proposed budget would be posted on the Township’s website. F. Froio further stated that he would be willing to meet with residents individually or as a group to go over any questions. H. Werkheiser expressed his concern that there were inadequate funds budgeted for road maintenance and equipment. H. Werkheiser further advised that the bodies on several of the trucks are rusting away. H. Werkheiser stressed the need to keep the trucks on a regular replacement schedule. H. Bengel stated that he needed more detail regarding H. Werkheiser’s budget requests. H. Bengel further stated that an analysis should be made regarding whether it is more prudent to repair vehicles or replace them. H. Bengel expressed his support for adopting a regular maintenance and replacement schedule. H. Bengel made a motion, seconded by H. Werkhesier, to advertise the 2013 Preliminary Budget. Roll call vote: H. Bengel, yes; H. Werkheiser, 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 5, 2012 (GENERAL FUND: \$77,363.08; AMBULANCE FUND: \$14,264.12; PARK FUND: \$1,404.09; SEWER FUND: \$20,556.00). Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

**APPROVAL OF MINUTES:**

H. Bengel made a motion, seconded by H. Werkheiser, to approve the minutes of the October 15, 2012 Board of Supervisors Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

**OLD BUSINESS:**

International Truck – J. Durney requested that the Board consider adjourning to executive session to discuss potential litigation issues concerning the truck.

**NEW BUSINESS:**

None.

**PUBLIC COMMENT:**

A question was raised concerning the removal of the structure on the Yuhas property. F. Froio and J. Durney advised that it was their understanding that DEP was to remove the structure. F. Froio agreed to follow up with DEP.

Jane Cilurso asked about the rental income from the house owned by the Township.

Don Simpson requested that the totals on the bill lists be provided as part of the discussion on approval.

Several residents asked questions about the status of the trucks. A general discussion ensued regarding the timing of replacement and the need for a 5-year or 10-year plan for vehicles and other capital projects. Several residents suggested that a regular maintenance and replacement schedule be researched and adopted.

**EXECUTIVE SESSION:**

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn to Executive Session to discuss potential litigation matters concerning the 2011 International truck. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.

**ADJOURNMENT:**

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 8:18 p.m., until November 19, 2012, at 7:00 p.m., at the Pocono Township Municipal Building. Roll call vote: H. Bengel, yes; H. Werkheiser, yes. Motion carried.