

**POCONO TOWNSHIP SUPERVISORS
REGULAR MEETING
December 17, 2012**

MINUTES

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

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

ANNOUNCEMENTS/CALENDAR:

Sewer Meeting on December 18, 2012 at 6:00 p.m.

Planning Commission Meeting scheduled for December 24, 2012 is cancelled due to the Christmas holiday

Board of Supervisors Special Meeting on December 27, 2012 at 11:00 a.m.

Board of Supervisors Organization Meeting on January 7, 2013 at 5:00 p.m.

PUBLIC COMMENT:

None.

ENGINEER'S REPORT:

CBH2O L.P. (Camelback Lodge and Waterpark) – Consideration of Minor Modification Approval. D. Horton reviewed the request of Camelback for an approval of a minor modification to its Preliminary/Final Land Development Plan. The previous Preliminary/Final Land Development Plan received conditional approval from the Board on December 7, 2009. The Applicant submitted a Minor Modification of the previously approved Plan in which the water park footprint has been slightly increased for mechanical space and parking and stormwater management areas have been modified to accommodate the building footprint change. The number of rooms, parking spaces, traffic circulation, and stormwater management points of interest have remained unchanged. D. Horton provided a detailed comment letter dated December 11, 2012. H. Bengel made a motion, seconded by H. Werkheiser, to conditionally approve the requested Minor Modification subject to (i) all outside agency approvals, (ii) payment of professional fees, (iii) entry into a Developer's Agreement and provision of appropriate security, and (iv) satisfaction of all outstanding Engineer's review comments as set forth in the letter dated December 11, 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

CBH20 L.P. (Camelback Lodge and Waterpark) – Consideration of Request for Waiver of Stormwater Management Ordinance. D. Horton advised that in connection with the construction of its hotel and waterpark, Camelback will create excess earth material. Rather than utilizing spoil piles and otherwise impacting undeveloped areas on the site, Camelback proposed using the excess material to raise the elevation of some of Camelback’s existing parking lots. D. Horton advised that Camelback advises that the grade will be raised without creating additional impervious surface area or changing the runoff flow pattern from the existing parking lot. Camelback further represented that there will be no adverse environmental impact to the existing condition of offsite properties or drainage structures. D. Horton advised that based upon his review, he was satisfied with the representations and the that the requested waiver was appropriate for the Board’s consideration. H. Bengel made a motion, seconded by H. Werkheiser, to conditionally grant the waiver from the Township’s Stormwater Management Ordinance for the work set forth in the Applicant’s December 10, 2012 requests and subject to the comments set forth in the Township Engineer’s December 11, 2012 comment letter, including receipt of all relevant outside agency approvals. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

The Reserve at Cherry Lane – Consideration of Acceptance of Road Dedication. D. Horton advised that the developer had requested that the Township accept dedication of approximately 840 feet of road that serves The Reserve at Cherry Lane. The section of road is an extension of Park Lane, which is already a Township road. D. Horton advised that the road has been constructed in accordance with the approved Final Major Subdivision Plans and Township specifications. H. Werkheiser expressed his concern that the limited amount of liquid fuel funds that the Township would receive in connection with the road would be insufficient to cover the costs associated with the maintenance of the section of roadway. H. Bengel expressed his opinion that the Township should provide services to its residents who pay taxes for municipal services including snow plowing and road maintenance. An extended discussion followed. F. Hess suggested that the issue be tabled in order to permit additional research into the issue. H. Bengel made a motion, seconded by H. Werkheiser, to table consideration of the request to accept road dedication pending further research and analysis. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Dairy Queen Grill and Chill – Security Reduction Request #3. D. Horton advised that he had reviewed Security Reduction Request #3 from the developer’s engineer. D. Horton advised that the work had been completed and inspected, with the exception of the final inspection of the outdoor lighting systems. D. Horton further advised that issues concerning the Dairy Queen’s alternative sewage disposal system had not been finalized. D. Horton recommended approval of the Security Reduction Request subject to satisfaction of the aforesaid issues. H. Bengel made a motion, seconded by H. Werkheiser, to approve Security Reduction Request #3 subject to the final inspection and approval of the outdoor lighting systems and finalizing the arrangements for the Alternate Sewage Disposal system. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Spirit of Swiftwater – Time Extension Request. D. Horton advised that the Spirit of Swiftwater had submitted a time extension request seeking an extension to March 31, 2013. Robert Demarest advised that the Planning Commission had reviewed the request and recommended that it be granted. H. Bengel made a motion, seconded by H. Werkheiser, to approve the time extension request to March 31, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

The Reserve at Bryson’s Farm – Time Extension Request. D. Horton advised that the developer of The Reserve at Bryson’s Farm had submitted a time extension request seeking an extension to March 11, 2013. Robert Demarest advised that the Planning Commission had reviewed the request and recommended that it be granted. H. Bengel made a motion, seconded by H. Werkheiser, to approve the time extension request to March 11, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Winchell/Griffiths & Sager – Time Extension Request. D. Horton advised that the applicant’s engineer had submitted a time extension request seeking an extension to March 25, 2013. Robert Demarest advised that the Planning Commission had reviewed the request and recommended that it be granted. H. Bengel made a motion, seconded by H. Werkheiser, to approve the time extension request to March 25, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Pocono Manor Investors – Time Extension Request. D. Horton advised that Pocono Manor Investors had submitted a time extension request seeking an extension to October 31, 2013. Marc Wolfe, attorney for Pocono Manor Investors, advised that substantial work had been performed in connection with the project, but that the severe downturn in the real estate market had made it uneconomical to proceed. A discussion followed regarding the status of the project. H. Bengel made a motion, seconded by H. Werkheiser, to approve the time extension request to October 31, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

SOLICITOR’S REPORT:

Resolution No. 623 – Purchase of 2012 International Truck. J. Durney advised that the issue concerning the truck was again before the Board for a decision. There was a discussion concerning the circumstances that led to the truck being ordered without being authorized by resolution or other official action by the prior administration. F. Hess advised that after a great deal of research and discussions with Hunter Truck, the right thing to do was to purchase the truck. F. Hess further stated that the cost to the Township and its residents if the truck was returned would be prohibitive. H. Bengel stated that he was of the opinion that this particular truck with the options included was excessive for the Township’s needs, however he understood that the Township was now in a position that it needed to pay for the truck. F. Hess made a motion, seconded by H. Bengel, to adopt Resolution No. 623 which authorized the purchase of the 2012 International Dump Truck from Hunter Truck Sales and Service in the amount of \$158,908.50. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried. RESOLUTION NO. 623.

Frantz Hill Road Bridge Project – Boucher & James Work Authorization. J. Durney advised that in connection with its reimbursement request for the Frantz Hill Road Bridge project, the Department of Community and Economic Development requested a Work Authorization form from Boucher & James. Jon Tresslar prepared the necessary form and submitted it for the Board’s approval. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Work Authorization for the work Boucher & James performed on the Frantz Hill Road Bridge project. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

ADMINISTRATOR’S REPORT:

Castle K-9, Inc. – Approval of Canine Training Contract. F. Froio advised that the contract for training of the Police Department’s dog was ready for renewal. Chief Phil Riley advised that the Police Department has been very pleased with the training services provided by Castle K-9. H. Bengel made a motion, seconded by H. Werkheiser, to approve the contract with Castle K-9 and authorize the Chairman to sign the contract on behalf of the Township. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Doli Construction – Request for Reimbursement of Overpayment. F. Froio advised that in reviewing the payments made to Doli in 2010, it was discovered that there was a \$10,000.00 overpayment. F. Froio advised that a letter was being sent to Doli requesting a return of the overpayment.

Northeastern Pennsylvania Real Estate Investment Group – Escrow Release Request. F. Froio advised that the Township was holding money in escrow as a result of a fire that destroyed a home in Pocono Manor. The escrow was to insure that the property was properly cleaned-up. F. Froio advised that the Zoning Officer had inspected the property and provided a report indicating that the debris had been removed in compliance with applicable regulations. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the release of the escrowed funds to Northeastern Pennsylvania Real Estate Investment Group. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

2013 Reorganizational Meeting – Scheduling. F. Froio advised that the Township’s Reorganizational Meeting had been scheduled for January 7, 2013. F. Froio advised that a time had not yet been set. F. Hess suggested holding the Meeting at 5:00 p.m. H. Bengel made a motion, seconded by H. Werkheiser, to schedule the 2013 Reorganizational Meeting for January 7, 2013 at 5:00 p.m. 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 December 17, 2012 (GENERAL FUND: \$77,244.26; PARK FUND: \$252.36; ROAD EQUIPMENT: \$9,719.13; 1ST KEYSTONE 3: \$14,042.21; ESSA INTERIM 3.0: \$365,537.22; WAYNE BANK:

\$3,330.11). Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

APPROVAL OF MINUTES:

H. Bengel made a motion, seconded by F. Hess, to approve the minutes of the December 3, 2012 Board of Supervisors Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, abstained; F. Hess, yes. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

PUBLIC COMMENT:

Judy Coover requested that the Supervisors be vigilant in monitoring health care costs, which represent a substantial portion of the Township's expenses.

Scott Gilliland raised questions about the Township's policy on vehicle acquisitions. F. Froio advised that the 2013 budget includes the purchase of two new police vehicles.

Scott Gilliland also questioned whether a Safety Committee had been established as previously discussed. F. Froio advised that the Committee has not yet been established but that he hoped to have one in place in early 2013. S. Gilliland discussed the importance of establishing the Committee.

Jane Cilurso asked questions regarding the Township's acquisition and replacement of vehicles.

A question was raised concerning the snow plowing in Old Orchard Farms, as the plower appeared to have done damage to the shoulders.

ADJOURNMENT:

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 8:11 p.m., until December 27, 2012, at 11:00 a.m., at the Pocono Township Municipal Building. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.