

**POCONO TOWNSHIP SUPERVISORS
REGULAR MEETING
February 21, 2012**

MINUTES

Chairman Frank Hess opened the meeting at 7:01 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

ANNOUNCEMENTS/CALENDAR:

No Board of Supervisors Work Sessions are scheduled through March 5, 2012.

Planning Commission meeting on February 27, 2012 at 7:00 p.m.

Board of Supervisors Regular Meeting March 5, 2012 at 7:00 p.m.

Monthly Sewer Meetings will be held on the 1st Wednesday of each month at 6:00 p.m.

PUBLIC COMMENT:

A question was raised regarding when an ordinance would be adopted concerning street signs. F. Hess advised that an ordinance would be drafted.

A question was raised concerning when road signs would be purchased and available. F. Hess reported that this would take place in the near future.

SPECIAL PRESENTATION:

A special presentation was made by Christopher Gregg concerning his Eagle Scout Project. Christopher advised that he intended to construct two benches on the hiking trail at Mountain View Park, along with an information kiosk at each end of the trail and fifteen nature stations. The Board provided its support and appreciation to Christopher for his intended work.

SOLICITOR'S REPORT:

Resolution Appointing Liason to EIT Tax Collector – H. Bengel made a motion, seconded by H. Werkheiser, to appoint Frank Hess as Liason to Berkheimer Associates as EIT Tax Collector. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Appointment of Fire Police – J. Durney advised that the Pocono Township Volunteer Fire Company nominated 13 firemen to be appointed as Fire Police for 2012. All the appointees have received the appropriate training as Fire Police. H. Werkheiser made a

motion, seconded by H. Bengel, to appoint Alvin Kresge, Sr, Captain, Richard Shay, Lieutenant, Robert Tutrone, Richard Howell, Christopher Kinsley, Sr., Peter Gallagher, Patrick Kresge, Gerald Lastowski, Kevin Kresge, Steve Jacobs, Thomas Kresge, Christopher Kinsley, Jr. and David Sanchez as Fire Police for 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Appointment of Public Works Director – J. Durney advised that the Board inadvertently failed to appoint the Public Works Director at their reorganizational meeting. H. Bengel made a motion, seconded by F. Hess, to appoint Harold Werkheiser as Public Works Director. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Sheldon Kopelson – Request for Time Extension -- H. Werkheiser made a motion, seconded by H. Bengel, to approve the time extension for the Sheldon Kopelson Subdivision and Conditional Use applications in accordance with the 2/14/12 waiver letter from Attorney Marc Wolfe. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

Withholding Payment on Linde Corporation Payment Requests – J. Durney advised that RKR Hess, the Township’s Sewer Engineers, have recommended not making payment on Payment Requests 9, 10, 11 and 12 from Linde Corporation on Contract No. 6. F. Hess explained the work by Linde was not acceptable and that there was a 5 ½ foot rise in the installed pipe, which is not appropriate for the gravity fed system. F. Hess reported that while there have been discussions with Linde about remediating the defective work, Linde has not been willing to make the necessary repairs. The Township will be soliciting bids to address the problem. H. Werkheiser made a motion, seconded by H. Bengel, to reject Payment Requests 9, 10, 11 and 12 on Contract No. 6 – Linde Corporation. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

ADMINISTRATOR’S REPORT:

Appointment of Executive Assistant – F. Froio advised that the Board inadvertently failed to appoint the Executive Assistant at their reorganizational meeting. H. Bengel made a motion, seconded by H. Werkheiser, to appoint Pam Finkbeiner as Executive Assistant. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

American Red Cross “Run for the Red” Marathon – The Board offered its support for the marathon to be run on May 12, 2012, a part of which will be run through the Township.

Appointment of Trustee for Various Township Accounts – The Board provided the authority to substitute Frank Hess for Jane Cilurso on the various accounts.

Frantz Hill Road Bridge – Bid Documents – F. Froio advised that now that the funds have been received for the bridge work, it would be appropriate to authorize the preparation of bid documents. Because Boucher & James has done most of the work on

the project, it was recommended that Boucher & James prepare the bid documents. Pennoni would thereafter take over the project. H. Werkheiser made a motion, seconded by H. Bengel, to authorize Boucher & James to prepare the bid documents for the Frantz Hill Road Bridge project. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

Authorization for PennVest Payment – RKR Hess, the Township’s Sewer Engineers, recommended payment of the PennVest Application No. 1 in connection with the STP upgrade. H. Werkheiser made a motion, seconded by H. Bengel, to approve PennVest Payment Application No. 1 in the amount of \$417,227.00. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

Appointment of Zoning Hearing Board Secretary – F. Froio advised that Patricia Malvin has been recommended by the Chairman of the Zoning Hearing Board to fill the vacant position of Zoning Hearing Board Secretary. Ms. Malvin would be paid \$50 per meeting plus expenses, the same payment arrangement the Township had with the previous secretary. A discussion was held regarding the lack of information provided about Ms. Malvin. H. Bengel made a motion, seconded by H. Werkheiser, to appoint Patricia Malvin Secretary of the Zoning Hearing Board subject to the Supervisors receipt and review of a resume from Ms. Malvin and a letter of support from the Chairman of the Zoning Hearing Board. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

PAYMENT OF BILLS:

H. Werkheiser made a motion, seconded by H. Bengel, to approve the semi-monthly bills. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

H. Werkheiser made a motion, seconded by H. Bengel, to approve the invoices from RKR Hess for January and February 2012. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

APPROVAL OF MINUTES:

H. Bengel made a motion, seconded by H. Werkheiser, to approve the minutes of the 2/6/2012 Regular Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

PUBLIC COMMENT:

A question was raised regarding the appointment of a Secretary for the Planning Commission. F. Hess advised that an advertisement would be placed.

There was a brief discussion regarding the re-opening of the 2012 budget. J. Durney advised that while the budget had been re-opened, no changes were made. The decision to eliminate the full-time Zoning Officer and Sewage Enforcement Officer were approved at a Special Meeting on January 28, 2012 and did not require an amendment to the budget.

A question was raised regarding the status of the police contract negotiations. F. Hess advised that preliminary discussions regarding a new contract are scheduled to take place soon, but there have been no negotiations as of yet. The Board intends to appoint Special Labor Counsel to assist in the negotiations.

There was a discussion concerning the Supervisors' plan to provide the zoning officer and sewage enforcement officer services. F. Hess provided an update on how the Township is handling these services.

EXECUTIVE SESSION:

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn to Executive Session to discuss personnel matters and potential litigation matters. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes.

ADJOURNMENT:

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 7:45 p.m., until 3/5/2012, 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.