

**POCONO TOWNSHIP SUPERVISORS
REGULAR MEETING
March 5, 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; David Horton, Township Engineer; Jeffrey Durney, Township Solicitor

ANNOUNCEMENTS/CALENDAR:

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

Board of Supervisors Work Session (Kopelson Project) on March 8, 2012 at 8:30 a.m.

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

Park Board Meeting on March 14, 2012 at 7:30 a.m.

Board of Supervisors Regular Meeting March 19, 2012 at 7:00 p.m.

PUBLIC COMMENT:

None.

ENGINEER'S REPORT:

Classic Quality Homes Wetland Buffer Modification Request – D. Horton explained the request for a wetland buffer modification request with respect to Maeve Manor, Lot 13, Section 2, Bon Sher Drive. A lengthy discussion followed regarding the property, the proposed encroachment into the wetland buffer and the purpose of the wetland buffer. A representative of Classic Quality Homes advised that a house could be built on the lot that would not require a modification of the wetland buffer and, in fact, the company had previously entered into a contract to build a compliant house but the transaction did not close. The company subsequently entered into a contract to build a larger house that required a modification to encroach in the wetland buffer. There were numerous questions from the audience and additional discussion. H. Bengel expressed his concern about the impact of permitting the encroachment as presented in the plan submitted. H. Bengel made a motion, seconded by H. Werkheiser, to deny the wetland buffer modification request. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

The Spirit of Swiftwater Time Extension Request – Anthony Maula appeared and made a request for a 90 day extension of the March 16th deadline for action for review of its Preliminary Land Development plan as set forth in the company’s 2/24/12 letter. The Planning Commission recommended that Supervisors not grant the time extension request. There was a discussion regarding the progress and current status of the plan. Ron Swink confronted Mr. Maula regarding his claimed lack of progress with PennDOT. H. Bengel made a motion, seconded by H. Werkheiser, to grant a 30-day time extension to The Spirit of Swiftwater. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Northampton Community College Time Extension Request – Pursuant to a letter dated 2/22/12, Northampton Community College requested a 60 day time extension request with respect to the Township’s decision relative to the College’s Preliminary/Final Land Development Plan. The Planning Commission recommended that the Supervisors accept the time extension letter. H. Werkheiser made a motion, seconded by H. Bengel, to grant the time extension letter. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

SOLICITOR’S REPORT:

Appointment of Special Labor Counsel – J. Durney provided information regarding Norris McLaughlin & Marcus (formerly Tallman, Hudders & Sorrentino), an Allentown law firm. The hourly rates are \$195 for partners and \$165 for associates. These rates were less than the Township to its previous Special Labor Counsel and substantially less than the rates quoted by the other labor counsel contacted. H. Werkheiser expressed his concern that the Township not be charged for the new firm getting up to speed on outstanding matters. H. Werkheiser made a motion, seconded by H. Bengel, to appoint Norris McLaughlin & Marcus as Special Labor Counsel subject to the Township not being charged for any work to catch up on matters currently outstanding. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

ADMINISTRATOR’S REPORT:

Professional Services Agreement – F. Froio introduced a proposed Professional Services Agreement that would govern relationships with developers who present plans to the Township for review. H. Bengel made a motion, seconded by F. Hess, to adopt the Professional Services Agreement. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

PAYMENT OF BILLS:

A question was raised concerning the proper allocation of the expenses for the Park Board and specifically with respect to expenses related to the HJP Park. F. Hess indicated that he would review the matter to make certain that the expenses were being properly allocated. 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 Cramer Swetz & McManus dated 1/16/12 and 2/13/12. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

APPROVAL OF MINUTES:

H. Werkheiser made a motion, seconded by F. Hess, to approve the minutes of the 2/21/2012 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 road sign ordinance. F. Hess advised that the ordinance would be completed in the near future.

EXECUTIVE SESSION:

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

ADJOURNMENT:

H. Werkheiser made a motion, seconded by H. Bengel, to adjourn the meeting at 8:00 p.m., until 3/19/2012, 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.